

OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

REGULAR MEETING OF JUNE 14, 2013

(Published June 22, 2013, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
June 14, 2013 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Schiff, Lilligren, Colvin Roy, Tuthill, Quincy, Glidden, Goodman, Samuels, Gordon, Reich, Hofstede, President Johnson.

Absent – Council Member Hodges.

Lilligren moved adoption of the agenda. Seconded.

Adopted upon a voice vote.

Absent – Schiff, Hodges.

Lilligren moved acceptance of the minutes of the regular meeting of May 24, 2013 and the adjourned session held May 24, 2013. Seconded.

Adopted upon a voice vote.

Absent – Schiff, Hodges.

Lilligren moved referral of petitions, communications, and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote.

Absent – Schiff, Hodges.

PETITIONS AND COMMUNICATIONS

COMMITTEE OF THE WHOLE:

INTERGOVERNMENTAL RELATIONS (276529)

State/Federal Local Legislative Update.

COMMITTEE OF THE WHOLE (See Rep):

COORDINATOR (276530)

Performance Measures-State of Minnesota Council on Local Results and Innovation: Resolution adopting continued commitment to a performance measurement system that collects and reports the performance measures developed by the State Council on Local Results and Innovation.

INTERGOVERNMENTAL RELATIONS (276531)

2014 State Bonding Agenda: Adopt 2014 State Bonding proposals as part of the legislative program.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276532)

Land Sales: 2726 & 2728 Stevens Ave: To Whittier Alliance; 714 30th Ave N: To Berean Missionary Baptist Church.

CRS Housing Inc (re Snelling Apartments, 2304 Snelling Ave): Final approval to issue bonds for multi-family rental housing development.

Seed Daycare/Harvest Preparatory/Best Academy (re Seed Academy, 1300 Olson Memorial Hwy): Final approval to issue bonds re debt restructure.

West River Commons (4610 E Lake St): City authorization to amend & subordinate existing City financing & covenants.

Greenway Heights Family Housing Proposal (re Bloomington Ave & Midtown Greenway, N of 29th St E): Project analysis authorization.

ELECTIONS (See Rep):

CITY CLERK (276533)

2013 Municipal Election: Receive and File report on plans and preparations for the 2013 Municipal Election.

Authorize and direct staff to make adjustments in polling place locations in Wards 2, 6, 8, and 10 to be effective for the 2013 Municipal Election.

In advance of the 2014 Gubernatorial Election, direct staff to identify additional adjustments or changes in precincts and/or polling places deemed necessary to serve the interests of voters, and to submit those recommendations to the Elections Committee by no later than February, 2014.

Designate official polling places for the 2013 General Municipal Election.

PUBLIC SAFETY, CIVIL RIGHTS & HEALTH:

HEALTH DEPARTMENT (276534)

Male Health Services: Application for grant funds from U.S. Department of Health & Human Services.

PUBLIC SAFETY, CIVIL RIGHTS & HEALTH (See Rep):

HEALTH DEPARTMENT (276535)

Local Collaborative Time Study Revenue Enhancement Activities: Agreement with Hennepin County through 12/31/2017.

PUBLIC SAFETY, CIVIL RIGHTS & HEALTH and WAYS & MEANS/BUDGET (See Rep):

FIRE DEPARTMENT (276536)

CenterPoint Energy 2013 Community Partnership: Accept grant funds for purchase of safety equipment.

HEALTH DEPARTMENT (276537)

Public Health Accreditation Activities: Accept grant funds from MN Department of Health; Authorize contract.

Children's Mental Health: Accept grant funds from Hennepin County; Authorize contract.

POLICE DEPARTMENT (276538)

Lieutenants' Assessment Center: Contract with Hilton Garden Inn.

Auto Theft Prevention Program: Accept grant from MN Department of Commerce; authorize contract.

PURCHASING (276539)

Fire Fighter Turnout Clothing: Increase to bid of Innotex, Inc.

REGULATORY SERVICES (276540)

Mpls Animal Care & Control: In-kind donations of dog & cat food & supplies.

REGULATORY, ENERGY AND ENVIRONMENT:

REGULATORY SERVICES (276541)

Conduct on Premises: Staff report.

REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

COORDINATOR (276542)

User Agreement with Municipal Building Commission: Agreement to allow City staff to set up and maintain beehives on City Hall green roof.

LICENSES AND CONSUMER SERVICES (276543)

Hotel Minneapolis, 215 4th St S: Grant On-Sale Liquor Class A with Sunday Sales License.

Memory Lanes, 2520 26th Ave S: Approve amended Business Plan.

Cliff-N-Norms Bar, 2024 Washington Ave N: Grant On-Sale Liquor Class E with Sunday Sales License.

Marin, 901 Hennepin Ave: Grant On-Sale Liquor Class E with Sunday Sales License.

Lu's Sandwiches, 2624 Nicollet Ave: Grant Sidewalk Cafe License.

LICENSES AND CONSUMER SERVICES (276544)

Sandcastle, 4955 W Lake Nokomis Pkwy: Grant On-Sale Wine Class D with Strong Beer License, subject to conditions; Comments.

Safari Restaurant, 3010 4th Ave S: Approve License Settlement Conference recommendations relating to Restaurant License.

Pagoda, 1417 4th St SE: Approve License Settlement Conference recommendations relating to On-Sale Wine Class E with Strong Beer License.

LICENSES AND CONSUMER SERVICES (276545)

Licenses: Grant licenses recommended for approval.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (276546)

Southwest Corridor Preliminary Engineering Update: Presentation by the Southwest Corridor Project Office.

Value Capture District for Streetcar Financing: Set public hearing.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (276547)

Organized collection of garbage, recyclables, mattresses, problem materials, and seasonal yard waste: a) End 180-day planning and discussion period regarding next contract; and b) Begin process to issue RFP to include Labor Peace provision.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (276548)

Stevens Ave S Street Resurfacing Project No 5255: Project approval and assessment public hearing; Comments.

11th St S, Grant St E, 14th St E, and 5th Ave S Street Resurfacing Project No 5254: Project approval and assessment public hearing.

2013 Alley Resurfacing Program No AL013: Project approval and assessment public hearing.

Tyler St NE Street Improvement Project No 5256: Project approval and assessment public hearing.

Areaway Abandonment and Removal at 3022 Hennepin Ave S: Project approval and assessment public hearing.

PUBLIC WORKS AND ENGINEERING (276549)

MnDOT Routine Maintenance Agreement: Biennial agreement with State of Minnesota for city's maintenance of State Trunk Highways within city limits.

Snow and Ice Removal Contract: Increase to contract with Custom Products, Inc for sidewalk snow clearing and ice control in six Special Service Districts.

Traffic Control Devices: Contracts with Safety Signs and Q3 per terms of OP 7694.

Bid: OP 7787, Single bid of Ziegler, Inc. for combination asphalt roller.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (276550)

Legal Settlements: Authorize settlement of: a) Kpakpo Moevi v. Scott Dahlquist and the City of Minneapolis Police Department (\$18,000); b) Mir S. Ali, et al v. City of Minneapolis (withdrawal and waiving of 2012 Vacant Building Registration fee); and c) Agreement with the Marine Shale Processors Site PRP Group (\$4,000).

Administrative Hearing Officer & Enforcement Services Panel: Authorize establishment of panel for the period of July 1, 2013, through June 30, 2016, with the cost of each of the following agreements not to exceed \$100,000 for the three-year period: Edward Backstrom III, The Hoffner Firm, Michael A. Sindt, James D., Gurovitsch, and Fondungallah & Kigham, LLC.

Court Reporting Services Contract: Authorize three year \$200,000 contract with Kirby A. Kennedy & Associates for court reporting services.

Bond Counsel Services Agreement: Approve extending the term of the current agreement for Bond Counsel Legal Services (C-28274) with Kennedy & Graven, Chartered, from July 1, 2013 through December 31, 2013.

COMMUNICATIONS (276551)

July Utility Billing Insert: Approve the insert on behalf of Public Works about bicycle safety. **CONVENTION CENTER (276552)**

Bid: OP No. 7782: Approve low bid of Republic Services for an estimated annual expenditure of \$95,000 to furnish and deliver waste hauling services at the Minneapolis Convention Center.

Business Center Contract: Authorize negotiation of a Business Center Contract for the Minneapolis Convention Center with the selected proposer, UPS, from the Business Center RFP.

COORDINATOR (276553)

Gift Acceptance: Accept by resolution gift of graphics design work from Carmichael Lynch Spong and barricading efforts from Warning Lites of Minnesota in support of the Secret City festival on June 22.

EXECUTIVE COMMITTEE (276554)

New Appointed Position: Approve the proposed appointed position in the Community Planning & Economic Development Department - Manager Homelessness Initiatives, allocated to grade 12 - 585 points.

INFORMATION TECHNOLOGY (276555)

Wireless Community Account: Approve application for free Wireless Community account for Parker Skyview High-Rise at 1815 Central Avenue.

ShotSpotter Contract Amendment: Amend Contract C-35511 with ShotSpotter, Inc. to include ShotSpotter Flex hosted subscription service and to customize the liability terms and conditions.

Environmental Systems Research Institute Contract: Authorize contract with Environmental Systems Research Institute (Esri) for a one year term with a one year option to renew in an amount not to exceed \$50,000, using Esri's contract agreement form and customizing the liability terms and conditions.

Aercor Wireless Contract: Authorize contract with Aercor Wireless, Inc., through December 31, 2015, in an amount not to exceed \$250,000 for licensing, support, and maintenance of the NetMotion and the 2FA dual authentication solutions.

ZONING AND PLANNING (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276556)

5th Street SE Mixed Use (1300-1322 5th Street SE and 425 14th Avenue SE): Determination of the need for an Environmental Assessment Worksheet (EAW) for the proposed mixed-use project in response to a citizen petition filed with the Minnesota Environmental Quality Board. (Ward 3)

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (276557)

Westminster Presbyterian Church of Minneapolis (1221 Nicollet Mall and 1226 Marquette Avenue): Application for an interim use permit to allow a 53 space temporary surface parking lot (adding a proposed 21 additional spaces to 32 existing spaces) on the subject properties.

PLANNING COMMISSION/DEPARTMENT (276558)

Above the Falls Master Plan Update: Approve the Above the Falls Plan Update document and amend the policy guidance for the area into the City's comprehensive plan, as amended by the Planning Commission. (Wards 1, 3, 4, and 5)

PLANNING COMMISSION/DEPARTMENT (276559)

628 University Avenue SE: Approve, notwithstanding the recommendation of staff, the petition to rezone the property from the R5 to the R6 Multiple-family district and adopt the findings of the Planning Commission.

NEW BUSINESS (See Rep):

ATTORNEY (276560)

Conflict of Interest Waiver for Gray Plant Mooty Law Firm: Authorize waive any conflict of interests between the City of Minneapolis and the Gray Plant Mooty Law Firm regarding work on the 201 Lowry Avenue NE redevelopment contract for First & First LLC and work on the environmental aspects of the Downtown East proposal for Ryan Companies.

FILED:

CHARTER COMMISSION (276561)
Plain Language Charter Final Version:
a) Report/Letter of Transmittal;
b) Plain Language Charter.

The following reports were signed by Mayor Rybak on June 19, 2013, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The COMMITTEE OF THE WHOLE submitted the following reports:

Comm of the Whole - Your Committee recommends passage of the accompanying resolution approving the appointment of a City representative, Council Member John Quincy, and alternate, Principal Planner Paul Mogush, to the MSP Noise Oversight Committee.

Adopted.

Absent – Schiff, Hodges.

Resolution 2013R-232, approving the appointment of a City representative and alternate to the MSP Noise Oversight Committee, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-232

By Glidden

Appointing a City representative and alternate to the MSP Noise Oversight Committee.

Whereas, the City of Minneapolis is participating as a member of the MSP Noise Oversight Committee (NOC) with other affected communities and airport user groups to discuss noise abatement measures and to make advisory recommendations to the Metropolitan Airports Commission (MAC) regarding noise issues; and

Whereas, the bylaws of the NOC provide for discussion at meetings only by designated representatives and alternates; and

Whereas, the City of Minneapolis has been represented on the NOC by Council Member John Quincy and Paul Mogush, Principal Planner, as a designated alternate, both of whose terms expire June 26, 2013;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Council Member John Quincy shall be designated as the City's NOC representative and Paul Mogush, Planner, shall be designated as an alternate for the City of Minneapolis on

the MSP Noise Oversight Committee for two-year terms effective June 26, 2013 until June 26, 2015.

Be It Further Resolved that a copy of this resolution be transmitted to the MAC.

Adopted.

Absent – Schiff, Hodges.

Glidden moved to find under Council Rule 4 that the regular Council cycle is not adequate, and to consider the action of the Committee of the Whole from June 13, 2013, regarding the 2014 State Bonding Agenda at this meeting. Seconded.

Adopted by unanimous consent.

Absent – Schiff, Hodges.

Comm of the Whole/IGR - Your Committee, having under consideration state capital bonding proposals as part of the 2014 state legislative program, now recommends passage of the accompanying resolution approving and ranking the 2014 Capital Budget requests and submitting requests to the Commissioner of Minnesota Management and Budget.

Colvin Roy moved that priority “4” in the capital bonding Resolution be amended by deleting the language “Ground Water Supply Project” and inserting in lieu thereof “Regional Drinking Water Back-Up Supply Project”. Seconded.

Adopted upon a voice vote.

Absent – Schiff, Hodges.

The report, with amended resolution, was adopted.

Absent – Schiff, Hodges.

Approved by Mayor Rybak 6/17/2013.

(Published 6/18/2013)

Resolution 2013R-233, approving and ranking the 2014 Capital Budget requests and submitting requests to the Commissioner of Minnesota Management and Budget, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-233

By Glidden

Approving and ranking the 2014 Capital Budget requests and submitting requests to the Commissioner of Minnesota Management and Budget.

Resolved by The City Council of The City of Minneapolis:

That the following capital investment projects are submitted to the Minnesota Management and Budget office and that the projects are prioritized as follows:

1. Nicollet Mall.
2. 35W South and 35W North Storm Tunnel Preservation Projects.

3. Pioneers and Soldiers Cemetery Fence Restoration.

4. Regional Drinking Water Back-Up Supply Project.

Be It Further Resolved that the City supports these bonding projects for the 2014 legislative session.

Be It Further Resolved that Minneapolis Intergovernmental Relations Department staff is directed to properly file these requests for funding with the Minnesota Management and Budget office.

Adopted.

Absent – Schiff, Hodges.

Approved by Mayor Rybak 6/17/2013.

Lilligren moved to find under Council Rule 4 that the regular Council cycle is not adequate, and to consider the action of the Committee of the Whole from June 13, 2013, regarding the City's commitment to a performance measurement system that collects and reports performance measures developed by the State of Minnesota Council on Local Results and Innovation at this meeting. Seconded.

Adopted by unanimous consent.

Absent – Schiff, Hodges.

Comm of the Whole - Your Committee recommends passage of the accompanying resolution adopting Continued Commitment to a Performance Management System that Collects and Reports the Performance Measures Developed by the State of Minnesota Council on Local Results and Innovation.

Adopted.

Absent – Schiff, Hodges.

Resolution 2013R-234, adopting Continued Commitment to a Performance Management System that Collects and Reports the Performance Measures Developed by the State of Minnesota Council on Local Results and Innovation, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-234
By Lilligren

Adopting Continued Commitment to a Performance Measurement System that Collects and Reports the Performance Measures Developed by the State of Minnesota Council on Local Results and Innovation.

Resolved by The City Council of The City of Minneapolis:

- Has implemented a local performance measurement system (*Results Minneapolis*) as developed by the State of Minnesota Council on Local Results and Innovation;
- Has historically and will survey its residents by the end of the calendar year on the services included in the performance benchmarks; and

- The city has adopted, implemented and will report the results of 10 performance measures developed by the State of Minnesota Council on Local Results and Innovation before the end of the year via the City's website:

General

1. Rating of the overall quality of services provided by your city.
2. Percent change in the taxable property market value.
3. Citizens' rating of the overall appearance of the city.

Police Services

4. Part I and II crime rates.

Fire Services

5. Citizens' rating of the quality of fire protection services.

Streets

6. Average city street pavement condition rating.
7. Citizens' rating the quality of snowplowing on city streets.

Water

8. Citizens' rating of the dependability and quality of city water supply.

Sanitary Sewer

9. Citizens' rating of the dependability and quality of city sanitary sewer service.

Parks and Recreation

10. Citizens' rating of the quality of city recreational programs and facilities (parks, trails, park buildings).
- Adopted.
Absent – Schiff, Hodges.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the properties at 2726 and 2728 Stevens Ave to Whittier Alliance for \$1,654 and \$2,296 respectively, subject to the following conditions:

a) Land sale closings must occur on or before 90 days from date of City Council approval; and

b) Payment of holding costs of \$300 per month (or portion thereof) if land sale closings do not occur on or before the closing deadline.

Whittier Alliance will reimburse the City for acquisition and holding costs, plus pay the City an administrative fee of 10 percent.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted.

Absent – Hodges.

Resolution 2013R-235, authorizing sale of land Vacant Housing Recycling Program Disposition Parcels TF-806 at 2726 Stevens Ave and TF-772 at 2728 Stevens Ave, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-235
By Goodman

Authorizing sale of land Vacant Housing Recycling Program Disposition Parcels TF-806 (2726 Stevens Ave) and TF-772 (2728 Stevens Ave).

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels TF-806 and TF-772, in the Whittier neighborhood, from Whittier Alliance, hereinafter known as the Redeveloper, the Parcels TF-806 and TF-772, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTIONS:

TF-806; 2726 Stevens Avenue: Lot 4, Block 3, except the South 13 feet thereof, Crim's Addition to Minneapolis;

TF-772; 2728 Stevens Avenue: Lot 5 and the South 13 feet of Lot 4, Block 3, Crim's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the City the sum of \$1,654 for Parcel TF-806 and \$2,296 for Parcel TF-772 plus reimbursement to the City for its acquisition and holding costs, plus pay the City an administrative fee of 10%. The Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use values reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on May 24, 2013, a public hearing on the proposed sale was duly held on June 4, 2013, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use values for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$23,310 for Parcel TF-806 and \$25,830 for Parcel TF-772, however in accordance with the City's Disposition Policy the

properties are being sold as a pass-thru for the City's acquisition costs plus a 10% administrative fee.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$300.00 per month (or portion thereof) if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

Adopted.

Absent – Hodges.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 714 30th Ave N to Berean Missionary Baptist Church for \$3,000, subject to the following conditions:

a) Land sale closing must occur on or before 90 days from date of City Council approval; and

b) Payment of holding costs of \$300 per month (or portion thereof) if land sale closing does not occur on or before the closing deadline.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted.

Absent – Hodges.

Resolution 2013R-236, authorizing sale of land Vacant Housing Recycling Program Disposition Parcel TF-788 at 714 30th Ave N, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-236
By Goodman

Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel TF-788 at 714 30th Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-788, in the Hawthorne neighborhood, from Berean Missionary Baptist Church, hereinafter known as the Redeveloper, the Parcel TF-788, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-788; 714 30th Avenue North: Lot 17, Block 2, The Oakland Addition to the City of Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$3,000 for Parcel TF-788 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on May 24, 2013, a public hearing on the proposed sale was duly held on June 4, 2013, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$3,000 for Parcel TF-788.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City and 2) payment of holding costs of \$300.00 per month (or portion thereof) if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

Adopted.

Absent – Hodges.

Comm Dev – Your Committee, having under consideration the issuance of revenue bonds on behalf of CommonBond Communities and Seward Redesign (CRS Housing, Inc) for the Snelling Apartments Project, a 60-unit rental apartment building for low-income seniors at 2304 Snelling Ave, now recommends passage of the accompanying resolution giving final approval to the issuance of up to \$8 million in Tax-Exempt Multi-Family Housing Entitlement Revenue Bonds for said project.

Adopted.

Absent – Hodges.

Resolution 2013R-237, authorizing the issuance of bonds, in a principal amount not to exceed \$8,000,000 in the form of Housing Revenue Bonds (Snelling Avenue Apartments Limited Partnership Project, 2304 Snelling Ave), Series 2013, and approving and authorizing the execution of various documents in connection therewith, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-237
By Goodman

Authorizing the issuance of bonds, in a principal amount not to exceed \$8,000,000 in the form of Housing Revenue Bonds (Snelling Avenue Apartments Limited Partnership Project), Series 2013, and approving and authorizing the execution of various documents in connection therewith.

Whereas, pursuant to the Minnesota Municipal Housing Act, Minnesota Statutes, Chapter 462C, as amended (the "Act"), a city is authorized to carry out programs for the financing of multifamily housing for persons of low and moderate income, and to authorize its housing and redevelopment authority to act on its behalf; and

Whereas, the City Council (the "City Council") of the City of Minneapolis (the "City") has prepared the Housing Plan for Local Housing for the City of Minneapolis, Minnesota, revised June, 1984 (the "Plan") which plan was adopted pursuant to the Act on July 13, 1984; and

Whereas, the Act requires adoption of a housing finance program after a public hearing held thereon for which notice was published in a newspaper of general circulation in the City at least fifteen (15) days in advance of the hearing; and

Whereas, there has been proposed a program (the "Program") for the issuance of up to \$8,000,000 of one or more of its tax-exempt Housing Revenue Bonds (Snelling Avenue Apartments Limited Partnership Project), Series 2013 (the "Bonds") to finance the acquisition and construction by Snelling Avenue Apartments Limited Partnership, a Minnesota limited partnership (the "Developer"), of a 60-unit multifamily rental housing development and facilities functionally related and subordinate thereto, located at 2304 Snelling Avenue in the City (the "Project"); and

Whereas, the City on June 4, 2013 did conduct a public hearing on the Program; and

Whereas, the Community Development Committee of the Minneapolis City Council, on behalf of the City held a public hearing on the Program and proposed issuance of the Bonds after at least 15 days published notice hereof and after submission of the Program to the Metropolitan Council for review and comment; and

Whereas, the Council has been advised by The Sturges Company, representing the Developer, that on the basis of information available to them, the Project is economically feasible; and

Whereas, the City desires to facilitate the development of rental housing within the community, encourage the preservation of affordable housing opportunities for residents of the City, encourage the preservation of housing facilities designed for occupancy by persons of low or moderate income within the boundaries of the City, and the maintenance of affordable units in the Project would assist the City in achieving these objectives; and

Whereas, the Program will result in the provision of decent, safe and sanitary rental housing opportunities to persons within the community; and

Whereas, this City Council has been advised that conventional, commercial financing to pay the capital costs of the Program is available only on a limited basis and at such high costs of borrowing that the economic feasibility of operating the Project would be significantly reduced, but the City Council has been further advised that with the aid of municipal financing and resulting low borrowing costs, the Project is economically more feasible; and

Whereas, the staff of the City considers the proposed Program to be in furtherance of the housing policies of the State of Minnesota as stated in the Act and of the City as stated in the Plan; and

Whereas, the program is to be financed from the proceeds of the Bonds, to be issued by the City, and the revenues from the Project (as defined below) shall be pledged for the security and payment of the Bonds (except as may otherwise be set forth in the Indenture and Loan Agreement hereinafter referred to); and

Whereas, the proceeds of the Bonds will be used by the City to fund a loan to the Developer to finance the acquisition and construction of the Project; and

Whereas, the Developer has requested that the City issue the Bonds for the benefit of the Developer, pursuant to the terms of a Trust Indenture, dated on or after July 1, 2013 (the "Indenture"), between the City and a trustee to be selected by the Developer (the "Trustee"); and

Whereas, the Developer has requested that the City loan the proceeds derived from the sale of the Bonds to the Developer pursuant to the terms of a Loan Agreement, dated on or after July 1, 2013 (the "Loan Agreement"), between the City and the Developer, and the Developer proposes to apply the proceeds of the loan made pursuant to the terms of the Loan Agreement (the "Loan") to the payment of a portion of the costs of the acquisition, construction, and equipping of the Project and related costs; and

Whereas, the Bonds will be issued pursuant to the terms of the Indenture and this resolution and the Bonds and the interest on the Bonds: (i) shall be payable solely from the revenues pledged therefor under the Loan Agreement; (ii) shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation; (iii) shall not constitute nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers; (iv) shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City other than the City's interest in the Loan Agreement; and (v) shall not constitute a general or moral obligation of the City; and

Whereas, forms of the following documents (including the exhibits referred to therein) have been submitted to the City:

- a. The Bonds;
- b. The Loan Agreement;
- c. The Indenture;
- d. A Regulatory Agreement, dated on or after July 1, 2013 (the "Regulatory Agreement"), between the City, the Developer, and the Trustee, entered into to ensure continuing compliance with certain rental and occupancy restrictions imposed by the Act and Section 142(d) of the Code, and to ensure continuing compliance with certain restrictions imposed by the City; and
- e. A Bond Purchase Agreement, dated on or after the pricing date of the Bonds, between the City, the Developer, and The Sturges Company, as original purchaser of the Bonds.

The agreements described and referred to in paragraphs a through e above shall hereinafter sometimes be referred to collectively as the "Agreements";

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That it is hereby found, determined and declared that:

- a. The preservation of the quality of life in the City is dependent upon the maintenance, provision and preservation of an adequate housing stock which is affordable to

persons and families of low or moderate income, that accomplishing this is a public purpose, and that many would-be providers of housing units in the City are either unable to afford mortgage credit at present market rates of interest or are unable to obtain mortgage credit because the mortgage credit market is severely restricted.

b. The development and implementation of the Program, and the issuance of the Bonds by the City, and the execution and delivery of the Agreements and the performance of all covenants and agreements of the City contained therein and of all other acts and things required under the Constitution and Laws of the State of Minnesota to make the Agreements and the Bonds valid and binding obligations of the City in accordance with their terms, are authorized by the Act.

c. The implementation of the Program for the purposes and in the manner contemplated by the Agreements conforms or will conform to all pertinent statutes, regulations and ordinances of the State of Minnesota and the City.

d. It is desirable that the Bonds be issued by the City, in an aggregate principal amount not to exceed \$8,000,000, on the terms set forth in the Resolution, the Indenture, the Loan Agreement, the Regulatory Agreement and the Bonds.

e. The payments required or provided for by the Agreements are intended to produce income and revenues sufficient to provide for the payment when due of principal of and interest on the Bonds issued under the Resolution, and payments are required to be made for such expenses of, among other things, administration of the Program as will be necessary to protect the interests of the City.

f. Pursuant to the provisions of the Act, and as provided in the Agreements, the Bonds shall be retired solely from the revenues of the Project.

Be It Further Resolved that the Agreements in substantially the forms submitted to the City at this meeting are hereby approved. Such of the documents as require the execution of the City are hereby authorized and directed to be executed or accepted, as the case may be, and delivered in the name and on behalf of the City by its Finance Officer upon execution thereof by the parties thereto as appropriate. The Bonds and the Agreements shall be executed and delivered as provided therein. Copies of all the documents necessary for the consummation of the transactions described herein and in the Agreements shall be delivered, filed and recorded as provided herein and in the Agreements.

Be It Further Resolved that the form and terms of the Agreements may be varied prior to execution and delivery by the parties thereto, provided that any such variance shall not be, in the opinion of the City's legal counsel and the Finance Officer, materially adverse to the interests of the City. The execution and delivery of the Agreements as provided above shall be conclusive evidence of the determination that any such variance was not materially adverse to the interests of the City.

Be It Further Resolved that in anticipation of the collection of revenues of the Project, there shall be issued forthwith the Bonds, which issuance is approved, substantially in the forms and upon the terms set forth in the Agreements and the Bonds, the terms of which are for this purpose incorporated in this Resolution and made a part hereof as if fully set forth herein. The Bonds shall be dated as of the date and shall mature on the dates (subject to redemption on such earlier dates as provided in the Bonds), bear interest and be payable at the rates, all

determined as set forth in the Agreements and the Bonds, to be approved, executed and delivered by the officers of the City authorized to do so by the provisions of this Resolution, which approval shall be conclusively evidenced by such execution and delivery; provided that such rates shall result in an average coupon rate not greater than one and one-half percent (1.5%) per annum with respect to the Bonds.

Be It Further Resolved that all actions of the members, employees and staff of the City heretofore taken in furtherance of the Program are hereby approved, ratified and confirmed.

Be It Further Resolved that the Bonds are hereby designated "Program Bonds" and are determined to be within the "Housing Program" and the "Program," all as defined in Resolution 88R-030 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Be It Further Resolved that the execution of said Bonds to the Purchaser is hereby approved, and the Bonds are hereby directed to be delivered to the Purchaser, upon the terms and conditions set forth in the Agreements and the Bonds. The Finance Officer of the City is hereby authorized and directed to prepare and execute by manual or facsimile signature the Bonds as described in the Agreements and to deliver it to the Purchaser together with a certified copy of this Resolution, and the other documents required by the Agreements.

Be It Further Resolved that the Finance Officer is hereby authorized to execute and deliver, on behalf of the City, such other documents and certificates as are necessary or appropriate in connection with the issuance, sale, and delivery of the Bonds, including various certificates of the City, an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038, with respect to the Bonds, a certificate as to arbitrage and rebate, and similar documents, appropriate amendments to the Housing Program, and all other documents and certificates as the Finance Officer shall deem to be necessary or appropriate in connection with the issuance, sale, and delivery of the Bonds. The City hereby authorizes Kutak Rock LLP, as bond counsel to the City in connection with this financing ("Bond Counsel"), to prepare, execute, and deliver its approving legal opinions with respect to the Bonds.

Be It Further Resolved that the City will not participate in the preparation of an official statement or other disclosure document relating to the offer and sale of the Bonds (the "Disclosure Document"), and will make no independent investigation with respect to the information contained in the Disclosure Document, including the appendices thereto, and the City assumes no responsibility for the sufficiency, accuracy, or completeness of such information. The City hereby approves the Continuing Disclosure Agreement, dated on or after July 1, 2013 (the "Continuing Disclosure Agreement"), between the Developer and the Trustee, in the form now on file with the City.

Be It Further Resolved that all covenants, stipulations, obligations and agreements of the City contained in this Resolution and the aforementioned documents shall be deemed to be the covenants, stipulations, obligations and agreements of the City to the full extent authorized or permitted by law, and all such covenants, stipulations, obligations and agreements shall be binding upon the City. Except as otherwise provided in this Resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the City by the provisions of this Resolution or of the aforementioned documents shall be exercised or performed by the City or by such members of the City, or such officers, board, body or agency thereof as may be required or authorized by law to exercise such powers and to perform such duties.

No covenant, stipulation, obligation or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation or agreement of any member of the City, or any officer, agent or employee of the City in that person's individual capacity, and neither the City Council nor any officer or employee executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

No provision, covenant or agreement contained in the aforementioned documents, the Bonds or in any other document related to the Bonds, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Project, the proceeds of which are to be applied to the payment of the Bonds, as provided therein and in the Agreements. The Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City except the revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal of the Bonds, or the interest thereon, or to enforce payment thereof against any property of the City. The Bonds shall recite in substance that the Bonds, including the interest thereon, are payable solely from the revenues and proceeds pledged to the payment thereof. The Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

Be It Further Resolved that except as herein otherwise expressly provided, nothing in this Resolution or in the aforementioned documents expressed or implied is intended or shall be construed to confer upon any person or firm or corporation, other than the City or any holder of the Bonds issued under the provisions of this Resolution, any right, remedy or claim, legal or equitable, under and by reason of this Resolution or any provision hereof, this resolution, the aforementioned documents and all of their provisions being intended to be and being for the sole and exclusive benefit of the City and any holder from time to time of the Bonds issued under the provisions of this Resolution.

Be It Further Resolved that in case any one or more provisions of this Resolution, or of the aforementioned documents, or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, or of the aforementioned documents, or of the Bonds, but this Resolution, the aforementioned documents, the Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained therein.

Be It Further Resolved that the Bonds, when executed and delivered, shall contain a recital that they are issued pursuant to the Act, and such recital shall be conclusive evidence of the validity of the Bonds and the regularity of the issuance thereof, and that all acts, conditions and things required by the laws of the State of Minnesota relating to the adoption of this Resolution, to the issuance of the Bonds and to the execution of the aforementioned documents to happen, exist and be performed precedent to and in the enactment of this Resolution, and precedent to issuance of the Bonds, and precedent to the execution of the aforementioned documents have happened, exist and have been performed as so required by law.

Be It Further Resolved that in the event any of the officers of the City authorized to execute documents on behalf of the City under this resolution have resigned or shall for any reason be unable to do so, any member of the City, or officer of the City, is hereby directed and authorized to do so on behalf of the City, with the same effect as if executed by the officer authorized to do so in this Resolution.

Be It Further Resolved that the City hereby allocates up to \$8,000,000 of its 2013 (or carryover) entitlement authority to issue tax-exempt bonds pursuant to Minnesota Statutes, Chapter 474A, to the Bonds, the actual amount of such allocation to be in the aggregate principal amount of Bonds issued.

Be It Further Resolved that this Resolution shall take effect upon publication.

Adopted.

Absent – Hodges.

Comm Dev – Your Committee, having under consideration the issuance of revenue bonds on behalf of Seed Daycare/Harvest Preparatory/Best Academy Project (commonly known as Seed Academy) at 1300 Olson Memorial Highway, for refunding of the outstanding 2006 bond debt and fund the Debt Service Reserve to its fully required amount, now recommends passage of the accompanying resolution giving final approval to the issuance of up to \$7,250,000 in Revenue Bonds for City of Minneapolis Series 2013 Educational Facility Lease Revenue Refunding Bonds for said project.

Adopted.

Absent – Hodges.

Resolution 2013R-238, authorizing the issuance of Educational Facility Lease Revenue Refunding Bonds (Seed Daycare/Harvest Preparatory Charter School/Best Academy Project, 1300 Olson Memorial Hwy), and authorizing the execution of various documents in connection therewith, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-238

By Goodman

Authorizing the issuance of Educational Facility Lease Revenue Refunding Bonds (Seed Daycare/Harvest Preparatory Charter School/Best Academy Project), and authorizing the execution of various documents in connection therewith.

Whereas, the City, by the Constitution, the laws of the State of Minnesota, and its Charter, including Minnesota Statutes, Sections 469.152 to 469.1655, as amended (the "Act"), is authorized to issue and sell its revenue bonds for the purpose of financing industrial development within the boundaries of the City and to enter into agreements necessary or convenient in the exercise of the powers granted by the Act; and

Whereas, Seed Daycare, a Minnesota nonprofit corporation having federal income tax-exempt 501(c)(3) status (the "Borrower"), has proposed that the City issue its lease revenue bonds, to be issued in one or more series, in the aggregate principal amount not to exceed \$7,250,000 (the "Bonds") to finance a project consisting of (a) the refinancing of the outstanding principal amount of the City's Educational Facility Lease Revenue Refunding Bonds (Seed

Daycare/Harvest Preparatory Charter School Project), Series 2006A, and Taxable Education Facility Lease Revenue Refunding Bonds (Seed Daycare/Harvest Preparatory Charter School Project), Series 2006B, the proceeds of which were used to refinance and finance the expansion, renovation, and equipping of the Borrower's daycare and public (charter) school facilities located at 1300 Olson Memorial Highway in the City and (b) refinancing certain taxable indebtedness of the Borrower, the proceeds of which were used to finance capital improvements to and equipping of the Borrower's existing educational facilities (the "Project"). The Project will be owned by the Borrower and, except for that portion used for the Borrower's daycare program, leased to and operated by Harvest Preparatory Charter School, Inc. and Best Academy, Inc., each a Minnesota nonprofit corporation having federal income tax-exempt 501(c)(3) status as a public (charter) school; and

Whereas , the full faith and credit of the City will not be pledged to the Project or for the payment of the principal of, premium, if any, and interest on the Bonds; and

Whereas, the Borrower's proposal calls for the City to loan the proceeds realized upon the sale of the Bonds to the Borrower pursuant to a revenue agreement wherein the Borrower will be obligated to make payments at the times and in the amounts sufficient to provide for the prompt payment of principal of, premium, if any, and interest on the Bonds and all costs and expenses of the City incident to the issuance and sale of the Bonds; and\

Whereas, the undertaking of the proposed Project and the issuance of the Bonds to finance the cost thereof will further promote the public purposes and legislative objectives of the Act by the expansion of public charter school facilities in the City; and

Whereas, as required by the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") a public hearing on the issuance of the Bonds to finance the Project was held on May 14, 2013 following duly published notice thereof; and

Whereas, no public official of the City has either a direct or indirect financial interest in the Project nor will any public official either directly or indirectly benefit financially from the Project;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. Authority. The Council hereby approves the proposal of the Borrower that the City undertake the Project pursuant to the Act and to a revenue agreement between the City and Borrower, upon such terms and conditions with provisions for revision from time to time as necessary, so as to produce income and revenues sufficient to pay, when due, the principal of and interest on the Bonds in the total principal amount estimated not to exceed \$7,250,000 to be issued pursuant to the Act to finance the Project.

2. Authorization of Refinancing; Documents Presented. The Borrower has proposed that the City issue and sell its Educational Facility Lease Revenue Refunding Bonds (SEED Daycare/Harvest Preparatory Charter School/Best Academy Project), Series 2013 (the "Bonds"), to be issued in one or more series, in an amount not to exceed \$7,250,000, in substantially the form set forth in the Indenture mentioned below. A portion of the Bonds may be issued as taxable obligations. The Bonds will be issued pursuant to the Act and the proceeds thereof loaned to the Borrower to provide financing or refinancing of the Project. Forms of the following documents relating to the Bonds have been submitted to the City:

(a) Loan Agreement (the "Loan Agreement") between the City and the Borrower, whereby the City agrees to make a loan to the Borrower of the gross proceeds of sale of the Bonds and the Borrower agrees refinance the Project and to pay amounts in repayment of the loan sufficient to provide for the full and prompt payment of the principal of, premium, if any, and interest on the Bonds; and

(b) Indenture of Trust (the "Indenture") between the City and Wells Fargo Bank, National Association, as trustee (the "Trustee"), authorizing the issuance of the Bonds and pledging certain revenues, including those to be derived from the Loan Agreement, as security for the Bonds, and setting forth proposed recitals, covenants and agreements relating thereto; and

(c) Amended and Restated Mortgage, Security Agreement and Assignment of Leases and Rents and Fixture Financing Statement (the "Mortgage"), from the Borrower to the Trustee, by which the Borrower grants to the Trustee a mortgage lien on and security interest in certain mortgaged property, as described therein, as further security for the payment of the Bonds and assigns to the Trustee its interests in all rents with respect to the mortgaged property (this document not to be executed by the City); and

(d) Tax Regulatory Agreement (the "Tax Regulatory Agreement") by and among the City, the Borrower, Harvest Prep, and Best Academy; and

(e) Bond Purchase Agreement (the "Bond Purchase Agreement"), by and among Dougherty & Borrower LLC (the "Underwriter"), the Borrower, Harvest Prep, Best Academy, and the City, providing for the purchase of the Bonds from the City by the Underwriter and setting the terms and conditions of purchase; and

(f) Preliminary Official Statement, which, including all Appendices thereto, is intended to constitute the form of the final Official Statement (the "Official Statement"), describing the offering of the Bonds, and certain terms and provisions of the foregoing documents.

3. Findings. It is hereby found, determined and declared that:

(a) The Project constitutes a Project authorized by and described in the Act.

(b) On the basis of information available to the City it appears, and the City hereby finds, that the Project constitutes properties, real and personal, used or useful in connection with one or more revenue producing enterprises engaged in any business within the meaning of Subdivision 2(b) of Section 469.153 of the Act; that the Project furthers the purposes stated in Minnesota Statutes, Section 469.152; that the availability of the financing under the Act and willingness of the City to furnish such financing will be substantial inducement to the Borrower to undertake the Project, and that the effect of the Project, if undertaken, will be to encourage the development of economically sound industry and commerce, to assist in the prevention of the emergence of blighted and marginal land, to help prevent chronic unemployment, to help the City retain and improve the tax base and to provide the range of service and employment opportunities required by the population, to help prevent the movement of talented and educated persons out of the state and to areas within the state where their services may be as effectively used, to promote more intensive development and use of land within the City, and, eventually, to increase the tax base of the community.

(c) There is no litigation pending or, to the best of its knowledge, threatened against the City relating to the Bonds, the Loan Agreement, the Bond Purchase Agreement, the Tax Regulatory Agreement, or the Indenture or questioning the due organization of the City, or the powers or authority of the City to issue the Bonds and undertake the transactions contemplated hereby.

(d) The execution, delivery and performance of the City's obligations under the Bonds, the Indenture, the Bond Purchase Agreement, the Tax Regulatory Agreement, and the Loan Agreement do not and will not violate any order of any court or other agency of government of which the City is aware or in which the City is a party, or any indenture, agreement or other instrument to which the City is a party or by which it or any of its property is bound, or be in conflict with, result in a breach of, or constitute (with due notice or lapse of time or both) a default under any such indenture, agreement or other instrument.

(e) It is desirable that the Bonds be issued by the City upon the terms set forth in the Indenture, under the provisions of which the City's interest in the Loan Agreement will be pledged to the Trustee as security for the payment of principal of, premium, if any, and interest on the Bonds.

(f) The Loan Agreement provides for payments by the Borrower to the Trustee for the account of the City of such amounts as will be sufficient to pay the principal of, premium, if any, and interest on the Bonds when due. The Loan Agreement obligates the Borrower to pay for all costs of operation and maintenance of the Project facilities, including adequate insurance, taxes and special assessments. A reserve fund has been established under the provisions of the Indenture in connection with the issuance of the Bonds.

(g) Under the provisions of the Act, and as provided in the Loan Agreement and Indenture, the Bonds are not to be payable from nor charged upon any funds other than amounts payable pursuant to the Loan Agreement and moneys in the funds and accounts held by the Trustee which are pledged to the payment thereof; the City is not subject to any liability thereon; no owners of the Bonds shall ever have the right to compel the exercise of the taxing power of the City to pay any of the Bonds or the interest thereon, nor to enforce payment thereof against any property of the City; the Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City (other than the interest of the City in the Loan Repayments to be made by the Borrower under the Loan Agreement); and each Bond issued under the Indenture shall recite that such Bond, including interest thereon, shall not constitute or give rise to a charge against the general credit or taxing powers of the City.

4. Approval and Execution of Documents. Subject to the approval of the City Attorney and to the provisions of paragraph 8 hereof, the forms of the documents and exhibits thereto and all other documents listed in paragraph 2 hereof (the "Financing Documents") are approved substantially in the form submitted. Subject to the provisions of paragraph 8 hereof, the Financing Documents, in substantially the forms submitted, are directed to be executed in the name and on behalf of the City by the Finance Officer of the City. Subject to the provisions of paragraph 8 hereof, the Bonds are to be executed in the name of and on behalf of the City by the Finance Officer of the City, and are to be delivered to the Trustee for authentication and delivery to the Purchaser. Any other City documents and certificates necessary to the transaction described above may be executed by the appropriate City officers. Copies of all of the documents necessary to the transaction herein described shall be delivered, filed and recorded as provided herein and in the Loan Agreement and Indenture.

5. Approval, Execution and Delivery of Bonds. The City shall proceed forthwith to issue the Bond in the forms and upon the terms set forth in the Indenture, which terms are for this purpose incorporated in this resolution and made a part hereof; provided, however, that the initial aggregate principal amount of the Bonds shall not exceed \$7,250,000, the Bonds shall be in tax-exempt and taxable series in the amounts determined by the officials who execute the Bonds, the net effective interest rate of the tax-exempt bonds shall not be greater than 6% and the net effective interest rate of the taxable bonds shall not be greater than 6.5%. Subject to the foregoing, the principal amounts of the Bonds and of the tax-exempt and taxable series of the Bonds, the maturities, the interest rates thereon, and any provisions for the optional or mandatory redemption thereof shall all be as set forth in the final form of the Indenture to be approved, executed and delivered by the officials authorized to execute the Bonds in paragraph 4. The Underwriter has agreed pursuant to the provisions of the Bond Purchase Agreement, and subject to the conditions therein set forth, to purchase the Bonds at the purchase price set forth in the Bond Purchase Agreement, and said purchase price is hereby accepted. Said officials and other City officers are authorized and directed to prepare and execute the Bonds as prescribed in the Indenture and to deliver them to the Trustee, together with a certified copy of this Resolution and the other documents required by the Indenture, for authentication, registration, and delivery to the Underwriter. As provided in the Indenture, each Bond shall contain a recital that it is issued pursuant to the Act, and such recital shall be conclusive evidence of the validity and regularity of the issuance thereof.

6. Official Statement. The City hereby approves the form of and consents to the circulation by the Underwriter of the Official Statement in offering the Bonds for sale; provided, however, that the City has not participated in the preparation of the Official Statement or independently verified the information in the Official Statement, except under the headings "THE ISSUER" or "LITIGATION" (insofar as it relates to the City) and takes no responsibility for, and makes no representations or warranties as to, the accuracy or completeness of such information.

7. Records and Certificates. The Finance Officer and other officers of the City are authorized and directed to prepare and furnish to bond counsel and the purchaser of the Bonds, when issued, certified copies of all proceedings and records of the City relating to the Bonds, and such other affidavits and certificates as may be required to show the facts appearing from the books and records in the officers custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein.

8. Future Amendments. The authority to approve, execute and deliver future amendments to financing documents entered into by the City in connection with the issuance of the Bonds is hereby delegated to the Finance Officer, subject to the following conditions: (a) such amendments do not require the consent of the holders of the Bonds; (b) such amendments do not materially adversely affect the interests of the City; (c) such amendments do not contravene or violate any policy of the City; (d) such amendments are acceptable in form and substance to the City Attorney or other counsel retained by the City to review such amendments; and (e) the City has received an opinion of bond counsel to the effect that the amendments will not adversely affect the tax-exempt character of interest on the Bonds, if the Bonds are then tax-exempt obligations. The authorization hereby given shall be further construed as authorization for the execution and delivery of such certificates and related items as may be required to demonstrate compliance with the agreements being amended and the terms of this Resolution. The execution of any instrument by the Finance Officer, shall be

conclusive evidence of the approval of such instruments in accordance with the terms hereof. In the absence of the Finance Officer, any instrument authorized by this paragraph to be executed and delivered may be executed by the officer of the City authorized to act in their place and stead.

9. Indemnification by Borrower. It is understood and agreed that the Borrower shall indemnify the City against all liabilities, losses, damages, costs and expenses (including attorneys' fees and expenses incurred by the City) arising with respect to the Project or Bonds, as provided for and agreed to by and between the Borrower and City in the Loan Agreement.

10. Headings; Terms. Paragraph headings in this Resolution are for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof. Capitalized terms used but not defined herein shall have the meanings given them in, or pursuant to, the Indenture and Loan Agreement.

11. Program Bonds. The Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted.

Absent – Hodges.

Comm Dev - Your Committee, having under consideration existing financing and covenants in relation to the West River Commons project, an affordable rental housing development at 4610 E Lake St, now recommends passage of the accompanying resolution authorizing City consent to subordinate its interests and extend loan maturity dates as applicable in accommodation of the Department of Housing & Urban Development-insured first mortgage refinance, and consenting to assignment of the previously issued tax increment financing note.

Adopted.

Absent – Hodges.

Approved by Mayor Rybak 6/17/2013.

(Published 6/18/2013)

Resolution 2013R-239, approving the form of and authorizing the execution and delivery of a HUD amendment to Regulatory Agreement and other documents with respect to the refinancing of the West River Commons Project, 4610 E Lake St, initially financed with revenue bonds issued by the City for the benefit of Gateway Real Estate, L.L.C.; and granting approval for certain other actions with respect thereto, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-239

By Goodman

Approving the Form of and Authorizing the Execution and Delivery of a HUD Amendment to Regulatory Agreement and other Documents with Respect to the Refinancing of the West River Commons Project Initially Financed with Revenue Bonds Issued by the City for the Benefit of Gateway Real Estate, L.L.C; and Granting Approval for Certain Other Actions with Respect Thereto.

Resolved by The City Council of The City of Minneapolis:

1. **STATUTORY AUTHORIZATION.** The City of Minneapolis (the “City”), is a home rule city and political subdivision duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota, and is authorized by Minnesota Statutes, Chapter 462C, as amended (the “Act”), to carry out the public purposes described in the Act by issuing revenue bonds or other revenue obligations to finance or refinance multifamily housing developments located within the City. In the issuance of the City’s revenue bonds and other revenue obligations and in the making of a loan to finance a multifamily housing development, the City may exercise, within its corporate limits, any of the powers that the Minnesota Housing Finance Agency may exercise under Minnesota Statutes, Chapter 462A, as amended, without limitation under the provisions of Minnesota Statutes, Chapter 475, as amended, including the power to issue refunding obligations and to apply the proceeds derived from the sale of the refunding obligations to redeem and prepay the bonds or other obligations to be refunded.

2. **THE COMPANY AND THE FACILITY.** On October 22, 2002, the City issued its Variable Rate Demand Multifamily Housing Revenue Bonds (Gateway Real Estate, L.L.C. Project), Series 2002 (the “Series 2002 Bonds”), in the original aggregate principal amount of \$8,200,000, for the benefit of Gateway Real Estate, L.L.C., a Minnesota limited liability company (the “Company”). The Series 2002 Bonds were issued pursuant to the terms of Resolution No. 2002R-299, adopted by the City Council of the City on September 13, 2002, and approved by the Mayor of the City on September 18, 2002, and an Indenture of Trust, dated as of October 1, 2002 (the “Indenture”), between the City and U.S. Bank National Association (formerly LaSalle Bank National Association), as trustee (the “Initial Trustee”). The proceeds derived from the sale of the Series 2002 Bonds were loaned to the Company pursuant to the terms of a Loan Agreement, dated as of October 1, 2002 (the “Loan Agreement”), between the City and the Company. The proceeds of the loan were applied by the Company to finance the acquisition, construction, and equipping of a 53-unit multifamily housing facility located at 4610 East Lake Street in the City (the “Project”).

3. **SERIES 2010 NOTES.** The payment of the principal of and interest on the Series 2002 Bonds was secured by an irrevocable, direct-pay letter of credit issued by the Bank of America (as successor to LaSalle Bank National Association as issuer of the original letter of credit securing the Series 2002 Bonds). Several years after the date of issuance of the Series 2002 Bonds, the Bank of America informed the Company that it did not intend to renew its letter of credit upon the expiration of the letter of credit. As a result, the Company obtained a commitment from Wells Fargo Bank, National Association (the “Bank”) to issue a replacement letter of credit (the “Letter of Credit”) in substitution for the existing Bank of America letter of credit. The City consented to the substitution of the Bank Letter of Credit for the Bank of America letter of credit. The Letter of Credit secured only approximately \$6,175,000 of the principal amount of the outstanding Series 2002 Bonds. The Company requested that the City issue a series of Subordinate Multifamily Housing Refunding Revenue Notes (Gateway Real Estate, L.L.C. Project), Series 2010 (the “Series 2010 Notes”), in an original aggregate principal amount not to exceed \$1,500,000, and loan the proceeds derived from the sale of the Series 2010 Notes to the Company pursuant to the terms of a Note Agreement, dated as of October 1, 2010 (the “Note Agreement”), between the City and the Company. The Company applied the proceeds of the loan made pursuant to the terms of the Note Agreement to the redemption and prepayment of the portion of the Series 2002 Bonds that was not secured by the Letter of Credit. The Company applied equity funds to the prepayment of Series 2002 Bonds not covered by the new Letter of Credit or redeemed with the proceeds of the Series 2010 Notes. The Series 2010 Notes are subordinate to the Series 2002 Bonds and are secured by the obligations of the Company under the Note Agreement and a Repayment Guaranty, dated as of October 1, 2010 (the “Guaranty”), executed and delivered by each member of the Company.

4. SUCCESSION TRUSTEE. Subsequent to the issuance of the Series 2010 Notes, the Initial Trustee was replaced by Wells Fargo Bank, National Association, a national banking association, as successor trustee (the "Successor Trustee").

5. THE REGULATORY AGREEMENT AND FIRST AMENDMENT TO REGULATORY AGREEMENT. To ensure compliance with certain rental and occupancy restrictions imposed by the Act and Section 142(d) of the Internal Revenue Code of 1986, as amended, and to ensure compliance with certain restrictions imposed by the City, a Regulatory Agreement, dated as of October 1, 2002 (the "Original Regulatory Agreement"), was executed by the Company and the Trustee, and delivered in conjunction with the issuance of the Series 2002 Bonds. The Original Regulatory Agreement was filed with the County Recorder of Hennepin County on December 13, 2002, as Document Number 7887427. In connection with the issuance of the Series 2010 Notes, a First Amendment to Regulatory Agreement, dated as of October 1, 2010 (the "First Amendment to Regulatory Agreement"), was executed by the Company and the Trustee. The First Amendment to Regulatory Agreement was filed with the County Recorder of Hennepin County on November 8, 2010, as Document Number A9584585. The Original Regulatory Agreement, as amended by the First Amendment to Regulatory Agreement, is hereinafter referred to as the "Amended Regulatory Agreement."

6. HOME LOAN. Under the terms of a Home Loan Agreement, dated October 23, 2002 (the "Original HOME Loan Agreement"), between the Company and the Minneapolis Community Development Agency, a Minnesota public body corporate and politic (the "Agency"), the Agency made a loan of \$500,000 (the "HOME Loan") to the Company. The funds for the HOME Loan were derived by the Agency from a grant from the United States Department of Housing and Urban Development ("HUD") under the HOME Investments Partnership Program Regulations, 24 CFR Part 92, as amended. The Original HOME Loan Agreement was amended by the terms of an Amendment to HOME Loan Agreement, dated October 25, 2004 (the "Amendment to HOME Loan Agreement"), between the Company, the City, as successor to the Agency, and the Agency. The Original HOME Loan Agreement, as amended by the Amendment to HOME Loan Agreement, is hereinafter referred to as the "HOME Loan Agreement." The obligations of the Company under the HOME Loan Agreement were secured by the terms of: (i) a HOME Note, dated October 23, 2002, of the Company; and (ii) a Combination Mortgage, Security Agreement and Fixture Financing Statement, dated October 23, 2002 (the "HOME Mortgage"), from the Company to the Agency. The Company agreed to impose certain restrictions on the use and occupancy of certain units in the Project and on the sale of the Project in accordance with the terms of a Regulatory Agreement and Declaration of Covenants, Conditions, and Restrictions, dated October 23, 2002 (the "Original HOME Regulatory Agreement"), as amended by an Amendment to Regulatory Agreement and Declaration of Covenants, Conditions and Restrictions (West River Commons Apartments Project), dated October 25, 2004 (the "Amendment to HOME Regulatory Agreement"), between the Company, the City, as successor to the Agency, and the Agency. The Original HOME Regulatory Agreement, as amended by the Amendment to HOME Regulatory Agreement, is hereinafter referred to as the "HOME Regulatory Agreement."

7. DECLARATIONS OF RESTRICTIVE COVENANTS. In connection with other financing provided by the Agency to the Company with respect to the Project and the receipt of tax credits with respect to the Project, the Company also executed and delivered: (i) a Declaration of Restrictive Covenants, dated October 23, 2002, from the Company in favor of the City (the "City Declaration"), filed December 13, 2002, with the County Recorder of Hennepin County on December 13, 2002, as Document Number 7887428; and (ii) a Declaration of Land Use Restrictive Covenants for Housing Tax Credits 2004 Allocation Year, dated August 1, 2005

(the "Tax Credit Declaration"), filed with the County Recorder of Hennepin County on September 9, 2005, as Document Number 8650298.

8. REFINANCING OF INDEBTEDNESS. The Company has obtained mortgage loan financing (the "Mortgage Loan") from Dougherty Mortgage LLC, a Delaware limited liability company (the "Lender"), the proceeds of which are to be applied to the redemption and prepayment of all outstanding Series 2002 Bonds and all outstanding Series 2010 Notes. The Mortgage Loan will be insured by HUD and, as a condition to providing such insurance, HUD requires that the Amended Regulatory Agreement, the HOME Regulatory Agreement, the City Declaration, and the Tax Credit Declaration be subordinated to the lien, covenants, and enforcement of the mortgage from the Borrower in favor of the Lender.

9. CITY AS PARTY TO THE AMENDED REGULATORY AGREEMENT. Once the Series 2002 Bonds and the Series 2010 Notes are redeemed and prepaid, the Successor Trustee will no longer have any interest in the outstanding financing with respect to the Project and, therefore, will have no interest or obligation to enforce the obligations of the Company under the terms of the Amended Regulatory Agreement. In order to ensure that the obligations of the Company under the terms of the Amended Regulatory Agreement are enforced, the City will become a party to the Amended Regulatory Agreement as further amended by the HUD Amendment to Regulatory Agreement (as hereinafter defined).

10. HUD AMENDMENT TO REGULATORY AGREEMENT. The Finance Officer is hereby authorized and directed to execute and deliver a HUD Amendment to Regulatory Agreement, dated on or after May 1, 2013 (the "HUD Amendment to Regulatory Agreement"), between the City, the Company, and the Successor Trustee. All of the provisions of the HUD Amendment to Regulatory Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The HUD Amendment to Regulatory Agreement shall be substantially in the form on file with the City which is hereby approved, with such omissions and insertions as do not materially change the substance thereof, and as the Finance Officer, in his discretion, shall determine, and the execution thereof by the Finance Officer shall be conclusive evidence of such determinations.

11. OTHER DOCUMENT AMENDMENTS. The Finance Officer is hereby authorized and directed to execute and deliver: (i) a Subordination and Modification Agreement, dated on or after May 1, 2013 (the "HOME Subordination Agreement"), between the Lender, the City, and the Company; and (ii) an Amendment to and Subordination of Declaration of Restrictive Covenants, dated on or after May 1, 2013 (the "Amendment to City Declaration"), between the Company and the City. All of the provisions of the HOME Subordination Agreement and the Amendment to City Declaration, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The HOME Subordination Agreement and the Amendment to City Declaration shall be substantially in the forms on file with the City which are hereby approved, with such omissions and insertions as do not materially change the substance thereof, and as the Finance Officer, in his discretion, shall determine, and the execution thereof by the Finance Officer shall be conclusive evidence of such determinations. An Amendment to and Subordination of Declaration of Land Use Restrictive Covenants for Housing Tax Credits 2004 Allocation Year, dated on or after May 1, 2013 (the "Amendment to Tax Credit Declaration"), between the Company and the Minneapolis/Saint Paul Housing Finance Board, a public body corporate and politic of the State

of Minnesota (the "Housing Finance Board"), is hereby approved and execution and delivery of the Amendment to Tax Credit Declaration by the Housing Finance Board is hereby approved.

12. OTHER CITY DOCUMENTS. The Finance Officer is hereby authorized to execute and deliver, on behalf of the City, such other documents and certificates as are necessary or appropriate in connection with the execution and delivery of the HUD Amendment to Regulatory Agreement, the HOME Subordination Agreement, the Amendment to City Declaration, and the Amendment to Tax Credit Declaration, including all other documents and certificates as shall be necessary and appropriate in connection with the execution and delivery of the Series 2010 Notes. The City hereby authorizes the Office of the City Attorney and Kennedy & Graven, Chartered, as bond counsel, to prepare, execute, and deliver any approving legal opinions that may be requested in connection with the execution and delivery of the HUD Amendment to Regulatory Agreement, the HOME Subordination Agreement, the Amendment to City Declaration, and the Amendment to Tax Credit Declaration.

13. SUBSEQUENT AMENDMENTS. On any date subsequent to the date of execution and delivery of the HUD Amendment to Regulatory Agreement, the HOME Subordination Agreement, the Amendment to City Declaration, and the Amendment to Tax Credit Declaration, the Finance Officer is hereby authorized to execute and deliver any amendments or supplements to any of the documents referred to in this resolution if, after review by bond counsel, the Finance Officer determines that the execution and delivery of such amendment or supplement is in the interests of the City. The Finance Officer may impose any terms or conditions on his execution and delivery of any such amendment or supplement as the Finance Officer deems appropriate.

14. LIMITATIONS OF LIABILITY. No covenant, stipulation, obligation, or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation, or agreement of any member of the City Council of the City, or any officer, agent, or employee of the City in that person's individual capacity, and neither the City Council of the City nor any officer or employee executing the HUD Amendment to Regulatory Agreement, the HOME Subordination Agreement, the Amendment to City Declaration, and the Amendment to Tax Credit Declaration shall be personally liable on any obligations of the City referred to in such documents or be subject to any personal liability or accountability thereunder. No provision, covenant, or agreement contained in the aforementioned documents, the Series 2002 Bonds, the Series 2010 Notes, or in any other document relating to the Series 2002 Bonds or the Series 2010 Notes, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to a general or moral obligation of the City or any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants, and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Loan Agreement or the Note Agreement which are to be applied to the payment of the Series 2002 Bonds or the Series 2010 Notes, as provided therein.

Except as herein otherwise expressly provided, nothing in this resolution or in the aforementioned documents expressed or implied, is intended or shall be construed to confer upon any person or firm or corporation, other than the City, and any holders of the Series 2002 Bonds or the Series 2010 Notes, any right, remedy or claim, legal or equitable, under and by reason of this resolution or any provisions hereof, this resolution, the aforementioned documents, and all of their provisions being intended to be and being for the sole and exclusive

benefit of the City, and any holders from time to time of the Series 2002 Bonds and the Series 2010 Notes.

15. **SEVERABILITY.** In case any one or more of the provisions of this resolution, other than the provisions limiting the liability of the City, or of the aforementioned documents shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, but this resolution and the aforementioned documents shall be construed and endorsed as if such illegal or invalid provisions had not been contained therein.

16. **ADDITIONAL ACTIONS.** The officers of the City, bond counsel, other attorneys, and other agents or employees of the City are hereby authorized to do all acts and things required of them by or in connection with this resolution and the aforementioned documents for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the aforementioned documents and this resolution.

17. **EFFECTIVE DATE.** This resolution shall take effect and be in force from and after its approval and publication. Pursuant to Chapter 4, Section 9, of the Charter of the City, only the title of this resolution and a summary of this resolution conforming to Minnesota Statutes, Section 331A.01, subdivision 10, shall be published in the official paper of the City.

Adopted.

Absent – Hodges.

Approved by Mayor Rybak 6/17/2013.

Comm Dev - Your Committee, having under consideration the Greenway Heights Family Housing Project proposed for the northeast corner of Bloomington Ave S and the Midtown Greenway (north of 29th St E), now recommends that the proper City officers be authorized to continue analysis of said project proposal to determine if tax increment financing (TIF) assistance is appropriate and justifiable; negotiate the terms and conditions of a redevelopment contract and prepare Redevelopment and TIF Plans for the project as needed.

All such terms and conditions, plans, and other provisions would be subject to future City Council review, discussion, and approval or denial.

Adopted.

Absent – Hodges.

The ELECTIONS Committee submitted the following report:

Elections – Your Committee, having under consideration a report relating to preparations for the 2013 Municipal Election and designation of official polling places, now recommends the following:

a) That the report on plans and preparations for the 2013 Municipal Election be received and filed.

b) That staff be authorized and directed to make the following adjustments in polling place locations to be effective for the 2013 Municipal Election:

For Ward 2-Precinct 4, from Coffman Union to the Weisman Museum.

For Ward 2-Precinct 9, from Seward Towers East to Augsburg College Oren Gateway Building;

For Ward 6-Precinct 2, from Seward Square Apartments to Seward Towers East;

For Ward 8-Precinct 5, from Watershed High School to St Joan of Arc Church; and

For Ward 10-Precinct 2, from the Ballentine VFW to Jefferson School.

c) In advance of the 2014 Gubernatorial Election, that staff be directed to identify additional adjustments or changes in precincts and/or polling places deemed necessary to serve the interests of voters and to submit those recommendations to the Elections Committee by no later than February, 2014.

Further, Your Committee **forwards without recommendation** the accompanying resolution designating Official Polling Places for the 2013 General Municipal Election.

Gordon moved that the report be amended by deleting the language “forwards without recommendation the accompanying resolution” and inserting in lieu thereof “recommends passage of the accompanying resolution”. Seconded.

Adopted by unanimous consent.

Absent – Hodges.

Glidden moved that the Resolution be amended by modifying the polling location listed for Ward 8, Precinct 2 by deleting Painter Park, 620 34th St W and inserting in lieu thereof Lyndale Community School, 312 34th St W. Seconded.

Adopted upon a voice vote.

Absent – Hodges.

The report, as amended, was adopted.

Absent – Hodges.

Resolution 2013R-240, designating polling places for the 2013 Municipal General Election, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-240

**By Gordon, Reich, Hofstede, Johnson, Samuels, Lilligren,
Goodman, Glidden, Schiff, Tuthill, Quincy, Colvin Roy and Hodges**

Designating polling places for the 2013 Municipal General Election.

Resolved by The City Council of The City of Minneapolis:

That the following polling places be designated as follows:

FIRST WARD	SECOND WARD
PRECINCT— 1 – River Village, 2919 Randolph St NE 2 – Waite Park, 1810 34th Ave NE 3 – Northeast Middle School, 2955 Hayes St NE (in Media Center) 4 – Audubon Park, 1320 29th Ave NE 5 – Windom Park Building, 2251 Hayes St NE 6 – Parker Skyview Highrise, 1815 Central Ave NE 7 – Van Cleve Park (Multipurpose), 901 15th Ave SE 8 – Holland Highrise, 1717 Washington St NE 9 – Edison High School Gym, 2030 Monroe St NE	PRECINCT— 1 – Holy Trinity Lutheran Church, 2730 31st St E 2 – Sullivan Community School, 3100 28th St E 3 – Van Cleve Park (Gym), 901 15th Ave SE 4 – Weisman Art Museum, 333 River Parkway E * 5 – Pratt Community School, 66 Malcolm Ave SE 6 – St. Frances Cabrini Church, 1500 Franklin Ave SE 7 – Augsburg College Christensen Center, 720 22nd Ave S 8 – Brackett Park, 2728 39th Ave S 9 – Augsburg College Oren Gateway Bldg, 610 22nd Ave S * 10 – Grace University Lutheran Church, 324 Harvard St SE

THIRD WARD	FOURTH WARD
<p>PRECINCT—</p> <p>1 – University Lutheran Church of Hope, 601 13th Ave SE</p> <p>2 – First Congregational Church of MN, 500 8th Ave SE</p> <p>3 – Marcy Open School, 415 4th Ave SE</p> <p>4 – Spring Manor Highrise, 828 Spring St NE</p> <p>5 – Saint Maron Catholic Church, 602 University Ave NE</p> <p>6 – East Side Neighborhood Services, 1700 2nd St NE</p> <p>7 – Standard Heating & Air Conditioning, Inc., 130 Plymouth Ave N (park on 2nd St N)</p> <p>8 – River Towers Condominiums, 15 1st St S</p> <p>9 – Open Book, 1011 Washington Ave S</p>	<p>PRECINCT—</p> <p>1 – Creekview Community Center, 5001 Humboldt Ave N</p> <p>2 – Olson/Lind Lower Campus School, 5025 Bryant Ave N (park on Dupont Ave N side)</p> <p>3 – Cityview Performing Arts Magnet School, 3350 4th St N</p> <p>4 – Loring Community School, 2600 44th Ave N</p> <p>5 – Folwell Community Center, 1615 Dowling Ave N</p> <p>6 – Hamilton Manor Highrise, 1314 44th Ave N</p> <p>7 – Luther Memorial Church, 3751 Sheridan Ave N</p> <p>8 – Parkway United Church of Christ, 3120 Washburn Ave N</p>
FIFTH WARD	SIXTH WARD
<p>PRECINCT—</p> <p>1 – Urban Research & Outreach Center (UROC), 2001 Plymouth Ave N</p> <p>2 – North Regional Library, 1315 Lowry Ave N</p> <p>3 – Rainbow Terrace, 1710 Plymouth Ave N</p> <p>4 – North Point Health & Wellness Center, Inc., 1315 Penn Ave N</p> <p>5 – Lyndale Manor Highrise, 600 18th Ave N</p> <p>6C – Heritage Commons at Pond's Edge, 350 Van White Memorial Blvd</p> <p>7 – Phyllis Wheatley Community Center – Bethune Park, 1301 10th Ave N</p> <p>8 – Farview Park, 621 29th Ave N</p>	<p>PRECINCT—</p> <p>1 – Heltzer Manor Highrise, 2121 Minnehaha Ave</p> <p>2 – Seward Towers East, 2910 Franklin Ave E *</p> <p>3 – Coyle Community Center, 420 15th Ave S</p> <p>4 – Elliot Recreation Center, 1000 14th St E</p> <p>5 – Phillips Community Center, 2323 11th Ave S</p> <p>6 – Peavey Recreation Center, 730 22nd St E</p> <p>7 – Ebenezer Towers, 2523 Portland Ave S</p> <p>8 – Ebenezer Park Apartments, 2700 Park Ave</p> <p>9 – Minnesota Church Center, 122 Franklin Ave W (use Pillsbury Ave entrance)</p>
SEVENTH WARD	EIGHTH WARD
<p>PRECINCT—</p> <p>1C – Bryn Mawr Community School, 252 Upton Ave S</p> <p>2D – St. Paul's Episcopal Church, 1917 Logan Ave S</p> <p>3 – First Unitarian Society, 900 Mount Curve Ave</p> <p>4D – Jones Harrison Residence, 3700 Cedar Lake Ave</p> <p>5 – Emerson Spanish Immersion School, 1421 Spruce Place</p> <p>6 – Westminster Presbyterian Church, 1200 Marquette Ave</p> <p>7 – Bryn Mawr Community School, 252 Upton Ave S</p> <p>8 – Emerson Spanish Immersion School, 1421 Spruce Place</p> <p>9 – Temple Israel, 2324 Emerson Ave S (use Freemont Ave entrance)</p> <p>10 – Minnesota Church Center, 122 Franklin Ave W (use Pillsbury Ave entrance)</p>	<p>PRECINCT—</p> <p>1 – Horn Towers Highrise, 3121 Pillsbury Ave</p> <p>2 – Lyndale Community School, 312 34th St W*</p> <p>3 – Sabathani Community Center, 310 38th St E</p> <p>4 – St. Joan of Arc, 4537 3rd Ave S</p> <p>5 – St. Joan of Arc, 4537 3rd Ave S *</p> <p>6 – Martin Luther King Park (Multipurpose), 4055 Nicollet Ave</p> <p>7 – Martin Luther King Park (Gym), 4055 Nicollet Ave</p> <p>8 – Bethel Evangelical Lutheran Church, 4120 17th Ave S</p>

NINTH WARD	TENTH WARD
<p>PRECINCT—</p> <p>1 – Central Gym Park, 3450 4th Ave S (use 4th Ave S entrance)</p> <p>2 – Powderhorn Park Building (Gym) , 3400 15th Ave S</p> <p>3 – Andersen School, 2700 12th Ave S (use Andersen Lane entrance)</p> <p>4 – Little Earth of United Tribes NELC, 2438 18th Ave S</p> <p>5 – Powderhorn Park Building (Lakeside), 3400 15th Ave S</p> <p>6 – Corcoran Neighborhood Center, 3332 20th Ave S</p> <p>7 – Powderhorn Park Building (Multipurpose), 3400 15th Ave S</p> <p>8 – Holy Trinity Lutheran Church, 2730 31st St E</p>	<p>PRECINCT—</p> <p>1 – Jefferson Community School, 1200 26th St W</p> <p>2 – Jefferson Community School, 1200 26th St W*</p> <p>3A – St. Mary's Greek Orthodox Church, 3450 Irving Ave S</p> <p>4 – Bryant Square Park, 3101 Bryant Ave S</p> <p>5A – Walker Methodist Home, 3737 Bryant Ave S</p> <p>6 – First Universalist Church, 3400 Dupont Ave S</p> <p>7 – Whittier Park, 425 26th St W</p> <p>8 – Whittier International School, 315 26th St W</p> <p>9 – Minneapolis College of Art and Design (MCAD), 2501 Stevens Ave</p>
ELEVENTH WARD	TWELFTH WARD
<p>PRECINCT—</p> <p>1 – Knox Presbyterian Church, 4747 Lyndale Ave S</p> <p>2 – Mayflower Church, 106 Diamond Lake Road E</p> <p>3 – Windom Park Community Center – South, 5843 Wentworth Ave S</p> <p>4 – McRae Park Building, 906 47th St E</p> <p>5 – Pearl Community Center, 414 Diamond Lake Road E</p> <p>6 – Our Lady of Peace Church, 5426 12th Ave S</p> <p>7 – Mt. Zion Lutheran Church, 5645 Chicago Ave</p> <p>8 – Lake Nokomis Community School Wenonah Campus, 5625 23rd Ave S</p> <p>9 – Keewaydin Neighborhood Center, 3030 53rd St E</p> <p>10 – Diamond Lake Lutheran Church, 5760 Portland Ave S</p>	<p>PRECINCT—</p> <p>1 – Longfellow Park, 3435 36th Ave S</p> <p>2 – Dowling Urban Environmental School, 3900 River Parkway W</p> <p>3 – St. Peder's Evangelical Lutheran Church, 4600 42nd St E</p> <p>4 – Hiawatha Community School, 4201 42nd Ave S</p> <p>5 – Nokomis Community Center, 2401 Minnehaha Parkway E</p> <p>6 – Minnehaha United Methodist Church, 3701 50th St E</p> <p>7 – Minnesota Veterans Home (Bldg. #17), 5101 Minnehaha Ave</p> <p>8 – Sibley Park Recreation Center, 1900 40th St E</p> <p>9 – St. Helena Catholic Church, 3201 43rd St E (use parking lot entrance)</p> <p>10 – Morris Park, 5531 39th Ave S</p>
THIRTEENTH WARD	OFFICE OF THE CITY CLERK
<p>PRECINCT—</p> <p>1 – Bakken Museum, 3537 Zenith Ave S</p> <p>2 – Lake Harriet Community School – Lower Campus, 4030 Chowen Ave S</p> <p>3 – Linden Hills Park, 3100 43rd St W</p> <p>4 – Pershing Neighborhood Center, 3523 48th St W</p> <p>5 – Mt. Olivet Lutheran Church, 5025 Knox Ave S</p> <p>6 – Lynnhurst Community Center, 1345 Minnehaha Parkway W (use Parkway entrance)</p> <p>7 – Kenny Community School, 5720 Emerson Ave S</p> <p>8 – Armatage Neighborhood Center, 5701 Russell Ave S</p> <p>9 – Anthony Middle School, 5757 Irving Ave S</p>	<p>Elections & Voter Services Division</p> <p>350 South Fifth Street</p> <p>City Hall – Room 1B</p> <p>Minneapolis, MN 55415</p> <p>www.minneapolismn.gov/elections</p> <p>Call 311 or 612-673-3000</p> <p>TTY 612-673-2157</p> <p>June 14, 2013</p>

* denotes site change from 2012

Adopted.

Absent – Hodges.

The PUBLIC SAFETY, CIVIL RIGHTS & HEALTH Committee submitted the following report:

PSC&H - Your Committee recommends that the proper City officers be authorized to contract with Hennepin County to engage in Local Collaborative Time Study revenue enhancement activities, for the term of 1/1/2013 through 12/31/2017.

Adopted.

Absent – Hodges.

Approved by Mayor Rybak 6/17/2013.

(Published 6/18/2013)

The PUBLIC SAFETY, CIVIL RIGHTS & HEALTH and WAYS & MEANS/BUDGET Committees submitted the following reports:

PSC&H & W&M/Budget - Your Committee recommends passage of the accompanying resolution accepting in-kind donations of dog and cat food and supplies from Nancy Miller, Toni Yeamans and Deb Morgan.

Adopted.

Absent – Hodges.

Resolution 2013R-241, approving donations of dog and cat food and treats from Nancy Miller, Toni Yeamans and Deb Morgan, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2013R-241
By Samuels and Hodges**

Approving donations of dog and cat food and treats.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the City:

Nancy Miller: Towels and Blankets, grooming supplies, food bowls;

Toni Yeamans: 5 boxes Milk Bones dog biscuits, 2 boxes Pedigree MarroBones (1.5 lb);

Deb Morgan: 3 packages Hot Dogs (dog training treats); and

Whereas, all such donations have been contributed to assist the city in providing Animal Care and meeting our goals of Responsible Pet Ownership, as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donations offered;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the donations described above are accepted and shall be used for the animals cared for at Minneapolis Animal Care and Control.

Adopted.

Absent – Hodges.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to enter into a contract agreement with Hilton Garden Inn in the amount of \$14,000, for training rooms, food and lodging for nine officers from other police agencies to serve as assessors for the Police Department Lieutenant candidates.

Adopted.

Absent – Hodges.

PSC&H & W&M/Budget - Your Committee recommends approval of an increase to the bid received on OP No. 7727 submitted by Innotex, Inc., to furnish turnout clothing to the Minneapolis Fire Department, increasing by \$65,000, for a new total annual expenditure of \$225,000.00.

Adopted.

Absent – Hodges.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept grant funds from the Minnesota Department of Health in the amount of \$8,300 and to execute an agreement with them in the same amount in support of department activities towards achieving public health accreditation. Further, passage of the accompanying resolution appropriating said funds to the Health Department.

Adopted.

Absent – Hodges.

**RESOLUTION 2013R-242
By Samuels and Hodges**

Amending the 2013 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants Other Fund (01600-8600130) by \$8,300 and increasing the revenue source (01600-8600130-321507) by \$8,300.

Adopted.

Absent – Hodges.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept grant funds from the Minnesota Department of Commerce in the amount of \$343,391, and to execute a contract with them in the same amount to support the existing Auto Theft Prevention Program for two years. Further, passage of the accompanying resolution appropriating said funds to the Police Department.

Adopted.

Absent – Hodges.

**RESOLUTION 2013R-243
By Samuels and Hodges**

Amending the 2013 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants Other Fund (01600-4002110) by \$343,391 and increasing the revenue source (01600-4002110-321516) by \$343,391.

Adopted.

Absent – Hodges.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept CenterPoint Energy's 2013 Community Partnership Grant award in the amount of \$2,500, to purchase safety equipment to help fund the Fire Department's technical rescue program. Further, passage of the accompanying resolution appropriating said funds to the Fire Department.

Adopted.

Absent – Hodges.

RESOLUTION 2013R-244
By Samuels and Hodges

Amending the 2013 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the Grants Other Fund (01600-2800700) by \$2,500 and increasing the revenue source (01600-2300700-372003) by \$2,500.

Adopted.

Absent – Hodges.

PSC&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept grant funds from Hennepin County in the amount of \$21,000, and to execute a contract with them in the same amount to support children's school-based clinic mental health services. Further, passage of the accompanying resolution appropriating said funds to the Health Department.

Adopted.

Absent – Hodges.

RESOLUTION 2013R-245
By Samuels and Hodges

Amending the 2013 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants Other Fund (01600-8600152) by \$21,000 and increasing the revenue source (01600-8600152-322002) by \$21,000.

Adopted.

Absent – Hodges.

The REGULATORY, ENERGY & ENVIRONMENT Committee submitted the following reports:

RE&E - Your Committee recommends that the proper City officers be authorized to execute a user agreement with the Municipal Building Commission to allow volunteer City staff to place and maintain beehives on the City Hall green roof.

Adopted.

Absent – Hodges.

RE&E - Your Committee recommends passage of the accompanying resolution granting Licenses to the following businesses:

- a) Hotel Minneapolis, 215 4th St S (new proprietor);
 - b) Memory Lanes, 2520 26th Ave S (amended Business Plan to allow a new interior bar adjacent to outdoor patio and volleyball courts);
 - c) Cliff-N-Norms Bar, 2024 Washington Ave N (new proprietor);
 - d) Marin, 901 Hennepin Ave (new proprietor); and
 - e) Lu's Sandwiches, 2624 Nicollet Ave (Sidewalk Cafe License).
- Adopted.
Absent – Hodges.
Approved by Mayor Rybak 6/17/2013.
(Published 6/18/2013)

Resolution 2013R-246, granting Licenses to Hotel Minneapolis, 215 4th St S; Memory Lanes, 2520 26th Ave S; Cliff-N-Norms Bar, 2024 Washington Ave N; Marin, 901 Hennepin Ave; and Lu's Sandwiches, 2624 Nicollet Ave, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2013R-246
By Glidden**

Granting Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2014

CHSP TRS Minneapolis LLC, dba Hotel Minneapolis, 215 4th St S (new proprietor)

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2014

Stardust Lanes Inc, dba Memory Lanes, 2520 26th Ave S (amended Business Plan to allow a new interior bar adjacent to outdoor patio and volleyball courts)

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2014

Cliff-N-Norms Bar LLC, dba Cliff-N-Norms Bar, 2024 Washington Ave N (new proprietor)

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2014

Marin Hospitality Corporation, dba Marin, 901 Hennepin Ave (new proprietor)

Sidewalk Cafe, to expire April 1, 2014

Lu's Sandwiches LLC, dba Lu's Sandwiches, 2624 Nicollet Ave.

Adopted.

Absent – Hodges.

Approved by Mayor Rybak 6/17/2013.

RE&E - Your Committee recommends passage of the accompanying resolution granting the application of Sandcastle, 4955 W Lake Nokomis Pkwy, for an On-Sale Wine Class D with Strong Beer License, subject to conditions.

Adopted.

Absent – Hodges.

Approved by Mayor Rybak 6/17/2013.

(Published 6/18/2013)

Resolution 2013R-247, granting the application of Sandcastle, 4955 W Lake Nokomis Pkwy, for an On-Sale Wine Class D with Strong Beer License subject to conditions, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-247

By Glidden

Granting the application of Sandcastle, 4955 W Lake Nokomis Pkwy, for an On-Sale Wine Class D with Strong Beer License subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by GFP LLC, dba Sandcastle, 4955 W Lake Nokomis Pkwy, for an On-Sale Wine Class D with Strong Beer License, to expire April 1, 2014, subject to the following conditions:

1. For the 2013 license year, Sandcastle may operate with a temporary outdoor structure (tent) to comply with alcohol license requirements for indoor seating. By April 30, 2014, a permanent structure must be constructed to comply with alcohol license requirements for indoor seating.

2. Final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted.

Absent – Hodges.

Approved by Mayor Rybak 6/17/2013.

RE&E - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Restaurant License held by Safari Restaurant, 3010 4th Ave S.

Adopted.

Absent – Hodges.

Resolution 2013R-248, approving License Settlement Conference recommendations relating to the Restaurant License held by Cosmopolitan Business Solutions LLC, dba Safari Restaurant, 3010 4th Ave S, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-248
By Glidden

Approving License Settlement Conference recommendations relating to the Restaurant License held by Cosmopolitan Business Solutions LLC, dba Safari Restaurant, 3010 4th Ave S.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on May 13, 2013 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded that the licensee violated the Minneapolis Code of Ordinances by failing to pay \$1,800 in administrative citations as required under Minneapolis Code of Ordinances 259.15;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the office of the City Clerk and made a part of this report by reference:

a) The licensee agrees to pay \$1,800 in administrative citations in \$300 installments for the next six months. These payments are due by the 15th of each month with the first payment due on May 15, 2013.

b) If Cosmopolitan Business Solutions, LLC is given any new citations, they must be paid or appealed by the due date given by the inspector.

Adopted.

Absent – Hodges.

RE&E - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Wine Class E with Strong Beer License held by Pagoda, 1417 4th St SE.

Adopted.

Absent – Hodges.

Resolution 2013R-249, approving License Settlement Conference recommendations relating to the On-Sale Wine Class E with Strong Beer License held by Asian Pan Inc, dba Pagoda, 1417 4th St SE, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-249
By Glidden

Approving License Settlement Conference recommendations relating to the On-Sale Wine Class E with Strong Beer License held by Asian Pan Inc, dba Pagoda, 1417 4th St SE.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on April 19, 2013 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded that on two separate occasions within less than a 24-month period, employees of the licensee sold alcohol to persons under the age of 21, in violation of Minneapolis City Ordinance 370.10, Minnesota Statute 340A.503 subd. 2(1), and the established compliance check policy and procedures of the City of Minneapolis. The licensee has paid the \$500.00 and \$1,000.00 administrative fines related to the first and second above-stated compliance check failures;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the office of the City Clerk and made a part of this report by reference:

That the On-Sale Wine Class E with Strong Beer License issued to Pagoda shall be subject to the following conditions and adverse license action:

1. Pagoda shall post, on a daily basis, a notice on their alcohol cooler that states the birthdate a person needs to have been born by in order to be served alcohol and the penalties for serving alcohol to a minor.

2. Pagoda shall perform four (4) self-audits for serving alcohol to persons under twenty-one (21) in the twelve (12) months following the approval of this agreement by the City Council. Documentation of these self-audits shall be made available to Licenses and Consumer Services upon request.

3. Pagoda shall complete one alcohol server training (with eARM) within six (6) months following the approval of this agreement by the City Council.

4. In lieu of a three-day suspension, the City shall impose a \$1,500 sanction. \$1,000 shall be stayed for a period of one year from the signing of this agreement. The licensee shall pay \$500 of this sanction due at the time of signing this agreement.

Adopted.

Absent – Hodges.

RE&E - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted.

Absent – Hodges.

Resolution 2013R-250, granting applications for Liquor, Wine and Beer Licenses, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-250

By Glidden

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 276545):

Off-Sale Liquor, to expire July 1, 2014

KJM Enterprises Inc, dba Lowry Hill Liquors, 1922 Hennepin Ave
E&M Franklin Nicollet Inc, dba Franklin Nicollet Liquor Store, 2012 Nicollet Ave

On-Sale Liquor Class A with Sunday Sales, to expire June 29, 2013

Screaming Triangle, dba EagleBOLTBar, 515 Washington Ave S (Temporary Expansion for Pride Weekend, June 28, 2013, 5:00 p.m. to 2:00 a.m.; and June 29, 2013, 9:00 p.m. to 2:00 a.m.)

On-Sale Liquor Class A with Sunday Sales, to expire June 30, 2013

Rock Bottom of Minneapolis Inc, dba Rock Bottom Brewery, 800 LaSalle Ave (Temporary Expansion, Pride Block Party and Parade, 8:00 a.m. to 3:00 p.m.)

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2014

Radisson Minneapolis Corporation, dba Radisson Plaza Minneapolis, 35 7th St S
RCI Dining Services MN (4th Street) Inc, dba Downtown Cabaret, 115 4th St S
Screaming Triangle LLC, dba EagleBOLTBar, 515 Washington Ave S
Minnesota Historical Society, dba Mill City Museum, 704 2nd St S
I & E Inc, dba Bunker's, 761 Washington Ave N
Minnesota Sports Facilities Authority, dba Minnesota Sports Facilities Authority, 900 5th St S
Minneapolis Branch American Association of University Women, dba Gale Mansion, 2115 Stevens Ave

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2014

Brothers of Minneapolis Inc, dba Brothers, 430 1st Ave N
Tanner Madison Entities LLC, dba Legends Cafe, 825 Hennepin Ave E
Joint/Caboose Operations LLC, dba Joint/Caboose, 913 Cedar Ave S
Ballentine VFW Post 246, dba James Ballentine VFW Post 246, 2916 Lyndale Ave S
D'Amico Catering LLC, dba D'Amico Catering at Calhoun Beach Club, 2925 Dean Pkwy

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2013

The Library IV LTD LLPO, dba Library Bar & Grill, 1301 4th St SE (new manager)

On-Sale Liquor Class C-1 with Sunday Sales, to expire April 1, 2014

Food Group Holdings LLC, dba Social House, 2919 Hennepin Ave

On-Sale Liquor Class C-2 with Sunday Sales, to expire June 27, 2013

Pier Group CMT LLC, dba Chiang Mai Thai, 3001 Hennepin Ave (Temporary Expansion of Premises)

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2014

Delta House Entertainment Inc, dba Goodsports Bar and Grill, 200 W Broadway
Atlas Restaurants LLC, dba Atlas Restaurant, 200 6th St S
510 Groveland Associates Minnesota Cooperative, dba La Belle Vie, 510 Groveland Ave

Capital Grille Holdings Inc, dba Capital Grille, 801 Hennepin Ave
Parker Investments Inc, dba Northeast Yacht Club, 801 Marshall St NE
Buca (Minneapolis) Inc, dba Buca Di Beppo, 1204 Harmon Pl
Philip Wong Inc, dba Red Dragon, 2116 Lyndale Ave S

Temporary On-Sale Liquor, to expire June 7, 2013

Minneapolis College of Art and Design, dba Minneapolis College of Art and Design,
2501 Stevens Ave (MCAD Gallery Building, 7:00 p.m. - 11:00 p.m.)

Temporary On-Sale Liquor, to expire June 21, 2013

The Southern Theater, dba The Southern Theater, 1420 Washington Ave S (Fashion
Show and Dance Party, 7:00 p.m. to 2:00 a.m.)

On-Sale Wine Class E with Strong Beer, to expire April 1, 2014

Sabor Latino Inc, dba Sabor Latino Restaurant, 2505 Central Ave NE

Off-Sale Beer, to expire April 1, 2014

Shan Inc, dba Kingfield Market, 3756 Nicollet Ave (new proprietor).

Adopted.

Absent – Hodges.

RE&E - Your Committee recommends passage of the accompanying resolution granting
applications for Business Licenses.

Adopted.

Absent – Hodges.

Resolution 2013R-251, granting applications for business licenses, was adopted by the
City Council. A complete copy of this resolution is available for public inspection in the office of
the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-251

By Glidden

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as
per list on file and of record in the office of the City Clerk under date of June 14, 2013 be
granted, subject to final inspection and compliance with all provisions of the applicable codes
and ordinances (Petr No 276545):

Dancing School; Dry Cleaning & Laundry Pickup Station; Extended Hours; Food
Caterers; Food Confectionery; Food Market Distributor; Farm - Produce Permits; Food Grocery;
Institutional Food Service; Food Manufacturer; Mobile Food Vendor; Food Restaurant; Food
Shelf; Short-Term Food Permit; Seasonal Short Term Food Permit; Sidewalk Cafe; Food
Vending Machine; Heating, Air Conditioning & Ventilating Class B; Motor Vehicle Repair
Garage; Towing Class B; Peddler - Foot; Pet Shop; Plumber; Residential Specialty Contractor;
Second Hand Goods Class A; Solicitor - Individual; Swimming Pool - Public; Tattooist/Body

Piercer Establishment; Taxicab Vehicle - Fuel Efficient; Taxicab Vehicle - Wheelchair Access; Taxicab Vehicle; Taxicab Vehicle Non-Transferable; Combined Trades; Tree Servicing; Valet Parking; and Tobacco Dealer.

Adopted.

Absent – Hodges.

RE&E - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted.

Absent – Hodges.

Resolution 2013R-252, granting applications for Gambling Licenses, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-252

By Glidden

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for Gambling Licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 276545):

Gambling Exempt

ALSAC, dba ALSAC, 7301 Ohms Ln, Edina (Raffle June 7, 2013, Seven the Steakhouse & Seven Sushi)

The Aliveness Project, dba The Aliveness Project, 730 38th St E (Bingo June 25 & 26, 2013, Loring Park)

St Cyril & Methodius Church, dba St Cyril & Methodius Church, 1315 2nd St NE (Raffle & Pull-Tabs August 18, 2013)

Laker Educational Foundation, dba Laker Educational Foundation, PO Box 840, Prior Lake (Raffle, August 24, 2013, Epic Event Center)

Gillette Children's Hospital Foundation, dba Gillette Children's Hospital Foundation, 200 University Ave E, St Paul (Raffle September 12, 2013, The Depot Renaissance Hotel)

Lyndale Neighborhood Association, dba Lyndale Neighborhood Association, 3537 Nicollet Ave (Raffle September 27, 2013, Lyndale Community Center)

The Woman's Club of Minneapolis, dba The Woman's Club of Minneapolis, 410 Oak Grove St (Raffle October 19, 2013)

Minnesota Law Enforcement Memorial Association, dba Minnesota Law Enforcement Memorial Association, PO Box 224, St Clair (Raffle June 15, 2013, Target Field)

Autism Society of Minnesota, dba Autism Society of Minnesota, 2380 Wycliff St, St Paul (Raffle September 14, 2013, Target Field).

Adopted.

Absent – Hodges.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following report:

T&PW - Your Committee, having under consideration a Resolution of Intent to organize collection and inviting the participation of interested persons, including persons licensed to operate solid waste collection services, in planning and establishing the organized collection system in the City of Minneapolis, adopted by the City Council on October 19, 2012, now recommends:

a) That the City officially conclude the planning and discussion period regarding the next contract for the operation of the City's system of organized collection of garbage, recyclables, mattresses, problem materials and seasonal yard waste;

b) That the proper City officers be directed to begin the process for issuing a Request for Proposals (RFP) for the organized collection system; and

c) That the proper City officers be directed to include a Labor Peace provision in the RFP in order to protect the City's financial, economic, and proprietary interests; to minimize the risk of labor/management conflict, including possible work stoppages; to protect public health; and to be consistent with previous RFPs.

Adopted.

Absent – Hodges.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration the Stevens Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5255, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments for the project; and

b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the project.

Your Committee further recommends that the property located at 113 26th St E be assessed at the residential rate and that the total assessment roll be adjusted to reflect that change.

Adopted.

Absent – Hodges.

Resolution 2013R-253, ordering the work to proceed and adopting the special assessments for the Stevens Ave S Street Resurfacing Project No 5255, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2013R-253
By Colvin Roy and Hodges**

**2013 STREET RESURFACING PROGRAM
STEVENS AVE S STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5255**

Ordering the work to proceed and adopting the special assessments for the Stevens Ave S Street Resurfacing Project.

Whereas, a public hearing was held on June 4, 2013 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2013R-181, passed April 26, 2013 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2013R-181, passed April 26, 2013.

That the proposed assessment for the property identified as 113 26th St E, Property ID 34-029-24-42-0484, be reduced by \$8,564.79, from \$12,847.18 to \$4,282.39 to reflect a change in the property type from non-residential to residential;

That the proposed special assessments in the total amount of \$66,482.83 for the Stevens Ave S Street Resurfacing Project No 5255, as on file in the office of the City Clerk, be revised to \$57,918.04 as a result of the above reduction and be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2014 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2014 real estate tax statements.

Adopted.

Absent – Hodges.

Resolution 2013R-254, requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the Stevens Ave S Street Resurfacing Project No 5255, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2013R-254
By Colvin Roy and Hodges**

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$57,920 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed costs of street improvements in the Stevens Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5255, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collected in five (5) successive annual installments, payable in the same manner as real estate taxes.

Adopted.

Absent – Hodges.

T&PW & W&M/Budget - Your Committee, having under consideration the 11th St S, Grant St E, 14th St E, and 5th Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5254, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments for the project; and

b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the project.

Adopted.

Absent – Hodges.

Resolution 2013R-255, ordering the work to proceed and adopting the special assessments for the 11th St S, Grant St E, 14th St E, and 5th Ave S Street Resurfacing Project No 5254, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2013R-255
By Colvin Roy and Hodges**

**2013 STREET RESURFACING PROGRAM
11TH ST S, GRANT ST E, 14TH ST E, AND 5TH AVE S
STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5254**

Ordering the work to proceed and adopting the special assessments for the 11th St S, Grant St E, 14th St E, and 5th Ave S Street Resurfacing Project.

Whereas, a public hearing was held on June 4, 2013 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2013R-180, passed April 26, 2013, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2013R-180, passed April 26, 2013.

Be It Further Resolved that the proposed special assessments in the total amount of \$165,163.35 for the 11th St S, Grant St E, 14th St E, and 5th Ave S Street Resurfacing Project No 5254, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2014 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds with collection of the special assessments to begin on the 2014 real estate tax statements.

Adopted.

Absent – Hodges.

Resolution 2013R-256, requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the 11th St S, Grant St E, 14th St E, and 5th Ave S Street Resurfacing Project No 5254, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-256
By Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$165,170 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed costs of street improvements in the 11th St S, Grant St E, 14th St E, and 5th Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5254, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collected in five (5) successive annual installments, payable in the same manner as real estate taxes.

Adopted.

Absent – Hodges.

T&PW & W&M/Budget - Your Committee, having under consideration the 2013 Alley Resurfacing Program, Special Improvement of Existing Alleys No AL013, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments for the 2013 Alley Resurfacing Program; and

b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of improvements in the program.

Adopted.

Absent – Hodges.

Resolution 2013R-257, ordering the work to proceed and adopting the special assessments for the 2013 Alley Resurfacing Program No AL013, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2013R-257
By Colvin Roy and Hodges**

**2013 ALLEY RESURFACING PROGRAM
SPECIAL IMPROVEMENT OF EXISTING ALLEYS NO AL013**

Ordering the work to proceed and adopting the special assessments for the 2013 Alley Resurfacing Program.

Whereas, a public hearing was held on June 4, 2013 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2013R-203, passed May 10, 2013 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2013R-203, passed May 10, 2013.

Be It Further Resolved that the proposed special assessments in the total amount of \$90,766.55 for the 2013 Alley Resurfacing Program AL013, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2014 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2014 real estate tax statements.

Adopted.

Absent – Hodges.

Resolution 2013R-258, requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of alley improvements in the 2013 Alley Resurfacing Program No AL013, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-258
By Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$90,770 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of alley improvements in the 2013 Alley Resurfacing Program, Special Improvement of Existing Alleys No AL013, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments, payable in the same manner as real estate taxes.

Adopted.

Absent – Hodges.

T&PW & W&M/Budget - Your Committee, having under consideration the Tyler St NE Street Improvement Project, Special Improvement of Existing Street No 5256, having accepted the petition and appeal waiver from East 7th Street POS, LLC, the assessed property owner, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the project; and
- b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the project.

Adopted.

Absent – Hodges.

Approved by Mayor Rybak 6/17/2013.

(Published 6/18/2013)

Resolution 2013R-259, ordering the work to proceed and adopting the special assessments for the Tyler St NE Street Improvement Project No 5256, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-259
By Colvin Roy and Hodges

TYLER ST NE STREET IMPROVEMENT PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5256

Ordering the work to proceed and adopting the special assessments for the Tyler St NE Street Improvement Project.

Whereas a public hearing was held on June 4, 2013 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2013R-202, passed May 10, 2013, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2013R-202, passed on May 10, 2013.

Be It Further Resolved that the proposed special assessments in the total amount of \$100,099.08 for the Tyler St NE Street Improvement Project No 5256, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments shall be paid shall be fixed at seven (7) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2014 real estate tax statements.

Adopted.

Absent – Hodges.

Approved by Mayor Rybak 6/17/2013.

Resolution 2013R-260, requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the Tyler St NE Street Improvement Project No 5256, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2013R-260
By Colvin Roy and Hodges**

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$100,100 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed costs of street improvements in the Tyler St NE Street Improvement Project, Special Improvement of Existing Street No 5256, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collected in seven (7) successive annual installments, payable in the same manner as real estate taxes.

Adopted.

Absent – Hodges.

Approved by Mayor Rybak 6/17/2013.

T&PW & W&M/Budget - Your Committee, having under consideration the areaway abandonment and removal for the property located at 3022 Hennepin Ave S, in conjunction with Storm Sewer Construction/Rainleader Disconnect Project No 4459, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments for the project; and

b) Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of street improvements in the project.

Adopted.

Absent – Hodges.

Resolution 2013R-261, ordering the work to proceed and adopting the special assessments for the areaway abandonment and removal for the property located at 3022 Hennepin Ave S in conjunction with Storm Sewer Construction/Rainleader Disconnect Project No 4459, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-261
By Colvin Roy and Hodges

Adopting and levying the assessment for the unpaid charge for the areaway abandonment and removal from the property known as 3022 Hennepin Ave S, PID 04-028-24-21-0007, in conjunction with the Storm Sewer Construction/ Rainleader Disconnect Project No 4459.

Whereas, a public hearing was held on June 4, 2013, in accordance with Chapter 8, Sections 12 and 13, Chapter 10, Section 8 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances, to consider the proposed assessment as shown on the proposed assessment roll on file in the office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proposed assessment against the affected property at 3022 Hennepin Ave S, PID No 04-028-24-21-0007, and legally described as:

Lot 6, Block 16, "Calhoun Park",

in conjunction with the Storm Sewer Construction/Rainleader Disconnect Project No 4459 as ordered by Resolution 2009R-349, passed July 31, 2009, in the total amount of \$97,741.75, as on file in the office of the City Clerk, be and hereby is adopted and assessed against the benefited property.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments may be paid shall be fixed at twenty (20) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessment to begin on the 2014 real estate tax statement.

Be It Further Resolved that the assessment roll, as prepared by the City Engineer, be and hereby is adopted and that the City Clerk is hereby directed to transmit a certified copy of said assessment roll to the Hennepin County Auditor.

Adopted.

Absent – Hodges.

Resolution 2013R-262, requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the purpose of paying the assessed cost of the areaway abandonment and removal for the property located at 3022 Hennepin Ave S in conjunction with Storm Sewer Construction/Rainleader Disconnect Project No 4459, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-262
By Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$97,750 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed costs of areaway and abandonment and removal at 3022 Hennepin Ave S, PID 04-028-24-21-0007, in the Storm Sewer Construction/Rainleader Disconnect Project No 4459, to be assessed against the benefited property as passed by the City Council, which assessment shall be collected in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted.

Absent – Hodges.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the Biennial Routine Maintenance Agreement between the State of Minnesota Department of Transportation and the City of Minneapolis, effective July 1, 2013 through June 30, 2015.

Adopted.

Absent – Hodges.

Resolution 2013R-263, authorizing the biennial Routine Maintenance Agreement between the State of Minnesota Department of Transportation and the City of Minneapolis, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-263
By Colvin Roy and Hodges

Authorizing the biennial Routine Maintenance Agreement between the State of Minnesota Department of Transportation and the City of Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis enter into Agreement No 03578 with the State of Minnesota Department of Transportation to provide routine maintenance by the City on State Trunk Highways, Bridges, and the Hiawatha Tunnel, as defined in said Agreement, effective July 1, 2013 through June 30, 2015.

Be It Further Resolved that the Director of Public Works/City Engineer and the Finance Officer are authorized to execute the Agreement.

Adopted.

Absent – Hodges.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to increase Contract C-36415 with Custom Products, Inc. by \$43,742, for a revised contract total of \$493,662, to furnish and deliver all labor, equipment, materials, and incidentals necessary for sidewalk snow clearing and ice control in six Special Service Districts to cover remaining costs incurred by additional snowfall in 2013. No additional appropriation required.

Adopted.

Absent – Hodges.

T&PW & W&M/Budget - Your Committee, having under consideration a contract with Highway Technologies, Inc. (OP 7694) to furnish barricades, warning lights, and other traffic control devices as needed through January 31, 2014 and the City having been notified that Highway Technologies, Inc. is unable to fulfill the terms of its contract with the City, now recommends that the proper City officers be authorized to execute contracts with the second and third lowest bidders to provide traffic control devices per the terms and conditions and unit prices bid in response to OP 7694 as follows:

a) Q3, in an amount not to exceed \$180,000; and

b) Safety Signs, in an amount not to exceed \$360,000.

Adopted.

Absent – Hodges.

Approved by Mayor Rybak 6/17/2013.

(Published 6/18/2014)

T&PW & W&M/Budget - Your Committee recommends acceptance of the single bid submitted to the Public Works Department on OP No 7787 from Ziegler, Inc., for an estimated expenditure of \$217,059.86, to furnish and deliver a combination asphalt roller to the Public Works Equipment Division.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service in accordance with City specifications.

Adopted.

Absent – Hodges.

The WAYS & MEANS/BUDGET Committee submitted the following reports:

W&M/Budget - Your Committee recommends passage of the accompanying resolutions authorizing the settlement of legal matters, as recommended by the City Attorney.

Adopted.

Absent – Hodges.

Resolution 2013R-264, authorizing settlement of a) *Kpakpo Moevi v. Scott Dahlquist and the City of Minneapolis Police Department*; and b) *Mir S. Ali, et al v. City of Minneapolis*, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-264
By Hodges

Authorizing legal settlement.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of:

a) *Kpakpo Moevi v. Scott Dahlquist and the City of Minneapolis Police Department*, by payment of \$18,000 to Kpakpo Moevi and his attorneys, from the Internal Service Self Insurance Fund (06900-1500100-145400); and

b) *Mir S. Ali, et al v. City of Minneapolis*, by withdrawing and waiving RFS No. 10-0812441, a 2012 Vacant Building Registration fee assessed against 3218 Emerson Avenue N.

Further, authorize the City Attorney's Office to execute any documents necessary to effectuate the above settlements.

Adopted.

Absent – Hodges.

Resolution 2013R-265, authorizing entering into a proposed settlement agreement for a de minimus settlement with the Marine Shale Processors Site PRP Group, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-265
By Hodges

Authorizing legal settlement.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with a de minimus settlement in the amount of \$4,000 with the Marine Shale Processors Site PRP Group, from Fund 06300-685000 Traffic Stores. Further, authorize the City Attorney's Office to execute any documents necessary to effectuate the above settlements.

Adopted.

Absent – Hodges.

W&M/Budget – Your Committee recommends the proper City officers be authorized to establish a new administrative hearing officer and enforcement services panel for the period of July 1, 2013 through June 30, 2016 with the cost for each agreement not to exceed \$100,000

for the three-year period with the following attorneys or law firms: Edward Backstrom III, The Hoffner Firm, Michael A. Sindt, James D. Gurovitsch, and Fondungallah & Kigham, LLC.

Adopted.

Absent – Hodges.

W&M/Budget – Your Committee recommends the proper City officers be authorized to enter into a three-year, \$200,000 contract with Kirby A. Kennedy & Associates to provide court reporting services.

Adopted.

Absent – Hodges.

W&M/Budget – Your Committee, having under consideration the recommendation of the Permanent Review Committee (PRC) to extend the term of the current agreement for Bond Counsel Legal Services with Kennedy & Graven, Chartered from July 1, 2013 through December 31, 2013 now recommends the City Attorney's Office be authorized to enter into and execute that amendment.

Adopted.

Absent – Hodges.

W&M/Budget - Your Committee recommends approval of the July 2013 utility billing insert on behalf of Public Works about bicycle safety.

Adopted.

Absent – Hodges.

W&M/Budget - Your Committee recommends acceptance of the low bid received on OP No 7782 from Republic Services in the estimated annual amount of \$95,000 to furnish and deliver waste hauling services at the Minneapolis Convention Center through April 30, 2014, with an option to extend until April 30, 2016.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for this project, all in accordance with City specifications.

Adopted.

Absent – Hodges.

W&M/Budget - Your Committee recommends the proper City officers be authorized to negotiate a Business Center Contract for the Minneapolis Convention Center with UPS, the selected proposer from the Business Center RFP, for a three year contract with two one year extensions.

Adopted.

Absent – Hodges.

W&M/Budget - Your Committee recommends passage of the accompanying resolution accepting the gifts of graphics design work from Carmichael Lynch Spong and barricading efforts from Warning Lites of Minnesota as part of the Secret City Illuminating Places Hidden InSight event on June 22, 2013.

Adopted.

Absent – Hodges.

Resolution 2013R-266, accepting donation of graphics design work and barricading efforts for the Secret City event, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-266
By Hodges

Accepting donation of graphics design work and barricading efforts for the Secret City event.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set for the below to the City:

<u>Name of Donor</u>	<u>Gift</u>
Carmichael Lynch Spong	Graphics design work
Warning Lites of Minnesota	Barricading efforts

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the City in the free events associated with Secret City, an evening cultural festival scheduled for June 22, 2013, and reflecting the diverse places, voices, and people of the city; and

Whereas, the City Council finds that it is appropriate to accept the donation offered;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the donations described above are accepted and shall be used for the public purpose of supporting activities that reflect the diverse places, voices, and people of the city.

Adopted.

Absent – Hodges.

W&M/Budget - Your Committee recommends approval of an application for a free Wireless Community account for Parker Skyview High-Rise at 1815 Central Avenue.

Adopted.

Absent – Hodges.

W&M/Budget - Your Committee recommends the proper City officers be authorized to amend contract C-35511 with ShotSpotter, Inc. to include ShotSpotter Flex hosted subscription services, and to customize the liability terms and conditions as indicated in the staff report.

Adopted.

Absent – Hodges.

W&M/Budget - Your Committee recommends the proper City officers be authorized to execute a contract with Environmental Systems Research Institute for a term of one year with a one year option to renew, and a not to exceed amount of \$50,000, using Environmental

Systems Research Institute's contract agreement form, and to customize the liability terms and conditions as set forth in the staff report.

Adopted.

Absent – Hodges.

W&M/Budget - Your Committee recommends the proper City officers be authorized to execute a contract with Aerocor Wireless, Inc. to expire on December 31, 2015, in an amount not to exceed \$250,000 for licensing, support, and maintenance of the NetMotion and the 2FA dual authentication solutions.

Adopted.

Absent – Hodges.

W&M/Budget - Your Committee recommends concurrence with the Executive Committee in approving the new appointed position of Manager Homelessness Initiatives, (grade 12 with 585 points), effective June 2, 2013, as set forth in Petn No 276553 on file in the Office of the City Clerk.

Your Committee further recommends passage of the accompanying Salary Ordinance establishing the salary for said appointed position.

Adopted.

Absent – Hodges.

Ordinance 2013-Or-064 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, establishing the salary for the appointed position of Manager Homelessness Initiatives, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2013-Or-064
By Hodges
1st & 2nd Readings: 6/14/2013

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed Officials (CAP)
Effective: June 2, 2013

						Step A	Step B	Step C	Step D
FLSA	OTC	CLASSIFICATION	PTS	G	P	Start rate	After 1 "A" year	After 2 "B" years	After 3 "C" years
E	1	<u>Manager Homelessness Initiatives</u>	585	12	A	\$90,598	\$95,366	\$98,227	\$100,134

Adopted.

Absent – Hodges.

The ZONING & PLANNING Committee submitted the following reports:

Z&P – Your Committee, having under consideration adoption of the *Above the Falls Master Plan Update* document, now recommends concurrence in the recommendations of the Planning Commission that:

a) the document be approved with the change identified in the Planning Commission's report to the City Council, and the policy guidance for the area be amended into the City's comprehensive plan, ***The Minneapolis Plan for Sustainable Growth***, pending final review and approval by the Metropolitan Council; and

b) Department of Community Planning and Economic Development staff be directed to develop a partnership with businesses that would develop viable landscaping plans to improve the appearance of industrial sites in the area, all subject to the following additional changes:

1) amend the language in the Implementation chapter regarding allowing industrial uses to remain until acquired for park, including the following changes to text:

- **Add to the Zoning Implementation Step in the table on page 182:**

Consistent with city policy, split zoning should not be applied to parcels where a portion is guided for park, and remainder for something else. The zoning change, if needed, should happen at the time the property is purchased and subdivided as part of the parkland development process. Until land is acquired for park purposes, applications for expansion or modification of existing uses or for change to another use allowed under the existing zoning should not be considered to be inconsistent with park development guidance in the comprehensive plan or master plan.

- **Add to the discussion of the subsequent rezoning study on page 198:**

With this in mind, the plan proposes a more limited scope for the subsequent rezoning study:

- *For areas identified as "business park" on the future land use map, investigate the creation of a new business park zoning district or altering controls in existing industrial districts, which focus development on high value job-generating redevelopment. These areas may also be identified as priorities for public assistance to new development.*
- *For areas identified as "industrial" on the future land use map, maintain existing zoning but consider downzoning to lighter industrial in areas immediately conflicting with existing or potential mixed use or residential areas.*
- *For areas identified as "park," allow existing zoning to remain, but consider downzoning when land transitions to park use.*
- *For areas identified as "mixed use," allow existing zoning to remain in the interim, but permit rezoning to residential or mixed use development once conditions for the Vision Plan are met (see Vision Plan section).*
- *Until land is acquired for park purposes, applications for expansion or modification of existing uses or for change to another use allowed under the existing zoning should not be considered to be inconsistent with park development guidance in the comprehensive plan or master plan*

and:

2) add additional language regarding **scope of the rezoning study** to address design issues including the following text:

Amend page 198 of the plan with the following language, just above the “Public Acquisition...” caption:

The rezoning study should also include a review of the basic zoning tools impacting the riverfront district, including site plan review standards, Mississippi River Critical Area and Shoreland overlay standards, and the standards of those Zoning Districts found within the study area. If appropriate, the rezoning study might propose refinements to these zoning standards to bring them more in line with the goals of the Above the Falls Master Plan.

Lilligren assumed the Chair.

Johnson moved that the Above the Falls Master Plan Update be amended by adding the language “To the extent possible, this will be done through a series of willing seller arrangements.” to the Parkway Development and Phasing Strategy Section (page 124) and the Transportation recommendations section (page 159, bullet #9), to read as follows:

- **Add to the Parkway Development and Phasing Strategy section (page 124):**
The proposed parkway extension will require significant land acquisition to be fully realized. To the extent possible, this will be done through a series of willing seller arrangements. Unlike the 2000 Above the Falls Master Plan, this plan locates the proposed West River Parkway directly adjacent to proposed riverbank parkland, separating the latter from future private development. This strategy offers much more flexibility over the long-term, allowing for phased, incremental park development independent from but parallel with private redevelopment phases. This strategy will allow the MPRB to develop parkland independently from partner agencies, if it so chooses. This, too, is a significant difference from the 2000 Above the Falls Plan, which envisioned wholesale land assembly and redevelopment.
- **Add to the Recommendations in the Transportation section (page 159, bullet #9):**
As opportunities present themselves, acquire land for and develop the final parkway route along the west bank, from its current terminus northward to North Mississippi Regional Park. To the extent possible, this will be done through a series of willing seller arrangements. Seconded.

Adopted upon a voice vote.

Absent – Hodges.

The report, as amended, was adopted.

Absent – Hodges.

Z&P – Your Committee concurs in the recommendation of the Planning Commission, notwithstanding the recommendation of staff, granting the petition of ESG Architects on behalf of Hupp Holdings LLC, (BZZ-5996) to rezone the property at 628 University Avenue SE from R5 to the R6 Multiple-family Residence District to permit a multiple family dwelling with 40 units and adopting the related findings of the Planning Commission.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted.

Absent – Hodges.

Ordinance 2013-Or-065 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 628 University Ave SE, was adopted by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2013-Or-065
By Schiff
1st & 2nd Readings: 6/14/2013

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of Lot 1, Block 33, St. Anthony Falls, Hennepin County, MN, (628 University Avenue SE - Plate 15) to the R6 District.

Adopted.

Absent – Hodges.

Z&P - Your Committee, having under consideration the determination of the need for an Environmental Assessment Worksheet for the proposed 5th Street SE Mixed Use project located at 1300-1322 5th Street SE and 425 14th Avenue SE, now recommends that the petition for an EAW be denied, and that the Findings of Fact and Record of Decision set forth in the Department of Community Planning and Economic Development staff report be adopted

Adopted.

Absent – Hodges.

Z&P - Your Committee, having under consideration the application of Westminster Presbyterian Church of Minneapolis for an interim use permit (BZZ-6084) for a 53 space temporary surface parking lot at 1221 Nicollet Mall and 1226 Marquette Avenue for a period not to exceed 5 years, now recommends adoption of the findings of Community Planning & Economic Development staff, and approval of said application upon the following conditions:

1) The interim use shall expire no later than June 14, 2018.

2) At the end date of the interim use the applicant shall cease operation of the temporary parking lot or apply for applicable land use approvals.

3) The pervious concrete proposed within the surface parking lot shall comply with Section 541.305 of the Zoning Code.

Adopted.

Absent – Hodges.

Johnson resumed the Chair.

MOTIONS

Colvin Roy moved that the regular payrolls for all City employees under City Council jurisdiction for the month of July, 2013 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted upon a voice vote.

Absent – Hodges.

RESOLUTIONS

Resolution 2013R-267, reappointing representatives to the Stadium Implementation Committee, was adopted by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2013R-267

By Johnson

Reappointing representatives to the Stadium Implementation Committee.

Whereas, the City Council adopted a resolution approving the Minneapolis Convention Center Special Law and related amendments contained in Laws 2012, Chapter 299 (Stadium Law); and

Whereas, Article 1, Section 20, Subdivision 6 of the Stadium Law relates to creation of a Stadium Implementation Committee within 30 days of local approval of the Special Law (June 29, 2012); and

Whereas, the Stadium Implementation Committee is charged with making recommendations to the Planning Commission on planning and land use issues for a new stadium on the current Metrodome site within certain time frames and to make recommendations on the design plans submitted for the stadium, infrastructure and related improvements; and

Whereas, by Resolution No. 2012R-330, passed June 15, 2012, the City Council appointed the following City representatives to the Stadium Implementation Committee: Mayor Rybak, Council President Johnson and Council Members Reich, Hofstede, Colvin Roy and Hodges and appointed David Wilson and Tom Fisher as co-chairs; and

Whereas, by Resolution No. 2012R-354, passed June 29, 2012, the City Council appointed the following additional representatives to the Stadium Implementation Committee, with public members of the Committee serving one-year terms commencing on July 1, 2012 and expiring June 30, 2013:

- Peter McLaughlin, Hennepin County Commissioner
- Chris Ferguson, Entrepreneur and owner of Dairy Queen franchise in Stadium Village; member of the Central Corridor's Corridors of Opportunity Committee
- Tim Baylor, Developer and member of the Sports Facilities Commission
- Clint Hewitt, Retired landscape architect and former U of M planner
- Craig Taylor, Executive Director, U of M's office of business and community economic development
- Peggy Lucas, Developer and member of the Sports Facilities Commission
- Rolf Engh, Vice President and General Counsel, Valspar
- Cathy Rydell, Executive Director, American Academy of Neurology
- Wade Luneburg, Secretary-Treasurer, UNITE-HERE Local 17
- Tom Meyer, Architect and Downtown East resident
- David Fields, Community Development Coordinator, Elliot Park Neighborhood Association
- Cory Merrifield, Founder, Save the Vikes
- Russ Adams, Executive Director, Alliance for Metropolitan Stability
- Judith Yates Borger, Downtown East resident
- Hussein Ahmed, Executive Director, West Bank Community Coalition
- Sarah Harris, University of Minnesota Foundation
- Jesse Winkler, Member, Downtown Minneapolis Neighborhood Association

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the above-named members of the Stadium Implementation Committee, including City elected officials, be reappointed for a term of office commencing on July 1, 2013, and expiring on June 30, 2014.

Be It Further Resolved that the following individual be appointed to the Stadium Implementation Committee for a term of office commencing on July 1, 2013, and expiring on June 30, 2014.

- Paul Mellblom, Member, East Downtown Council

Adopted.

Absent – Hodges.

UNFINISHED BUSINESS

Pursuant to notice on May 24, 2013, Colvin Roy moved to introduce the subject matter of the following ordinances amending Title 14 of the Minneapolis Code of Ordinances relating to *Liquor and Beer*, which were given their first reading and referred to the Regulatory, Energy & Environment Committee (repealing provisions related to restroom facilities):

- a) Chapter 368 relating to *Beer Regulations* (repealing Section 368.90).
- b) Chapter 364 relating to *Liquor Regulations* (repealing Section 364.110). Seconded.

Adopted upon a voice vote.

Absent – Hodges.

Pursuant to notice on May 24, 2013, Colvin Roy moved to introduce the subject matter of an ordinance amending Title 1, Chapter 188 of the Minneapolis Code of Ordinances relating to *Food Code: Administration and Licensing*, which was given its first reading and referred to

the Regulatory, Energy & Environment Committee (repealing Section 188.450 relating to toilet facilities). Seconded.

Adopted upon a voice vote.

Absent – Hodges.

NEW BUSINESS

Johnson moved that the Charter Commission's transmittal of the Plain Language Charter, including two amendments for submission to the voters at the regular election in November, 2013, be referred to the Committee of the Whole/Intergovernmental Relations Subcommittee. Seconded.

Adopted upon a voice vote.

Absent – Hodges.

Lilligren moved that the City Council consent to and waive any conflict of interests between the City of Minneapolis and the Gray Plant Mooty law firm regarding their work on the 201 Lowry Avenue NE redevelopment contract for First & First LLC and their work on the environmental aspects of the Downtown East proposal for Ryan Companies. Seconded.

Adopted upon a voice vote.

Absent – Hodges.

Reich gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code* (revising standards for sports and health facilities):

- a) Chapter 520 related to Zoning Code: Introductory Provisions.
- b) Chapter 536 related to Zoning Code: Specific Development Standards.
- c) Chapter 548 related to Zoning Code: Commercial Districts.
- d) Chapter 550 related to Zoning Code: Industrial Districts.
- e) Chapter 551 related to Zoning Code: Overlay Districts.

Schiff gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to *Zoning Code* (amending residential density standards):

- a) Chapter 520 related to Zoning Code: Introductory Provisions.
- b) Chapter 527 related to Zoning Code: Planning Unit Development.
- c) Chapter 546 related to Zoning Code: Residence Districts.
- d) Chapter 547 related to Zoning Code: Office Residence Districts.
- e) Chapter 548 related to Zoning Code: Commercial Districts.
- f) Chapter 551 related to Zoning Code: Overlay Districts.

Goodman gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to *Zoning Code: Regulations of General Applicability* (revising standards for solar energy systems).

Lilligren moved to adjourn to Room 315 City Hall to consider the *Tawana Robinson o/b/o J.J.R. v. Hanson, et.al* lawsuit. Seconded.

Adopted upon a voice vote.

Absent – Hodges.

JUNE 14, 2013

ADJOURNED SESSION

Room 315 City Hall
Minneapolis, Minnesota

June 14, 2013 – 10:21 a.m.

The Council met pursuant to adjournment.

Council President Johnson in the Chair.

Present – Council Members Lilligren, Colvin Roy, Tuthill, Quincy, Goodman, Samuels, Gordon, Reich, Hofstede, President Johnson.

Absent - Council Members Schiff, Glidden, Hodges.

Deputy City Attorney Peter Ginder stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the *Tawana Robinson o/b/o J.J.R. v. Hanson, et.al* lawsuit.

At 10:22 a.m., Lilligren moved that the meeting be closed. Seconded.

Adopted upon a voice vote.

Absent – Schiff, Glidden, Hodges, Hofstede.

Present – Council Members Lilligren, Colvin Roy, Tuthill, Quincy, Goodman, Samuels, Gordon, Reich, Hofstede (In at 10:27 a.m.), President Johnson (Out at 10:31 a.m.; In at 10:33 a.m.).

Absent - Council Members Schiff, Glidden, Hodges.

Also present – Susan Segal, City Attorney; Peter Ginder, Deputy City Attorney; Lynn Fundingsland and Darla Boggs, Assistant City Attorney's; Police Commander Medaria Arradondo; Mayor R.T. Rybak; Jennifer O'Rourke, Mayor's Chief of Staff; Casey Carl, City Clerk; and Jackie Hanson, City Clerk's Office.

Fundingsland summarized the *Tawana Robinson o/b/o J.J.R. v. Hanson, et.al* lawsuit from 10:23 a.m. to 10:48 a.m.

At 10:48 a.m., Lilligren moved that the meeting be opened. Seconded.

Adopted upon a voice vote.

Absent – Schiff, Glidden, Hodges.

Colvin Roy moved that the claims asserted in *Tawana Robinson, o/b/o J.J.R., a minor child, v. Officers Andrew Hanson, Calvin Cook, Douglas Dubay, Thomas Subject, in their official and individual capacities, and the City of Minneapolis*, Court File No. 11-CV-01944, be settled in the amount of \$75,000, payable to Tawana Robinson and her attorney, Andrew M. Irlbeck. Seconded.

Adopted.

Absent – Schiff, Glidden, Hodges.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

Lilligren moved to adjourn to June 25, 2013 at 1:00 p.m. in the Council Chamber, Room 317 City Hall, for the purpose of considering a resolution that would establish a value capture

JUNE 14, 2013

district and project area to generate property tax revenue that may be used for construction of a streetcar line. Seconded.

Adopted upon a voice vote.

Absent – Schiff, Glidden, Hodges.

Casey Joe Carl
City Clerk

Official Posting: 6/21/2013